

## DISTRICT OF COLUMBIA CONTRACT APPEALS BOARD

PROTEST OF:

TRILLIAN TECHNOLOGIES, LLC

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CAB No. P-0946

Solicitation No. 105096

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### ORDER DISMISSING PROTEST

*Filing ID 53968394*

Before the Board is the District's request for dismissal of the present protest based upon its decision to take corrective action in response to the protest allegations. (Dist. Mot. to Dismiss 1.) The present protest alleges that the terms of the subject solicitation are overly restrictive and improper because they only permit offerors to propose one type of Vendor Management System (VMS) product, Peoplefluent, to meet the contract's Information Technology Staff Augmentation (ITSA) service requirements. (Protest 4.) Subsequently, on August 7, 2013, the District advised the Board that it was taking corrective action in response to this protest by cancelling the solicitation, and reevaluating the statement of work. (Dist. Notice of Corrective Action 1.) Further, the District represents that it intends to advertise a new solicitation in the future including its new requirement. (*Id.*) Thus, the District filed the present motion based upon its contention that the foregoing corrective action plan renders the protest allegations moot.

The protester opposes the present motion to dismiss on the grounds that the District's proposed corrective action does not explicitly specify what the terms of the new contract requirements will be, and whether they will be materially different from the terms of the protested solicitation. (Protester's Opp'n to Dist. Mot. to Dismiss 1-2.) The Board, however, finds that, by cancelling the very solicitation which the protester alleged was improper in its terms, the District effectively mooted the protest grounds raised in this action and the matter is now ripe for disposition. *See Williams, Adley & Co., LLP*, CAB Nos. P-0666, P-0667, 50 D.C. Reg. 7488 (Apr. 14, 2003) wherein the Board held that "the protesters can raise appropriate protest grounds under the new solicitation and awards and there is no good reason to address issues where the underlying solicitation has been cancelled." Accordingly, any new allegations by the protester arising from the District's future solicitation for these same services must be asserted at that time as a new ground of protest with the Board. *Id.*

The present protest is **DISMISSED**.

**SO ORDERED.**

Date: August 30, 2013

/s/ Monica C. Parchment

MONICA C. PARCHMENT

Administrative Judge

CONCURRING:

/s/ Maxine E. McBean  
Administrative Judge

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