

United States Court of Federal Claims

No. 13-596 C
October 4, 2013

CAPITAL RELOCATION SERVICES, LLC,

Plaintiff,

Subject-matter jurisdiction

v.

UNITED STATES OF AMERICA,

Defendant.

OPINION AND ORDER

Block, Judge.

Plaintiff filed this bid protest seeking to enjoin the Federal Bureau of Investigation (“FBI”) from procuring relocation services under Blanket Purchase Agreements (“BPAs”) awarded to plaintiff’s competitors. The FBI has announced that it plans to conduct a new procurement to replace the challenged BPAs. The awardees are challenging this “corrective action” in two consolidated protests pending before the court, in which plaintiff is participating as a defendant-intervenor. See *WHR Group, Inc. v. United States*, 13-cv-515; *Lexicon Gov’t Services, LLC v. United States*, 13-cv-545.

Plaintiff’s protest is materially the same as *Brookfield Relocation Inc. v. United States*, 13-cv-592. As in *Brookfield*, plaintiff and defendant agree that the challenged BPAs are invalid and that the FBI should not procure relocation services under them. But for the *WHR* and *Lexicon* protests, defendant would have already taken corrective action to replace the allegedly invalid BPAs. Thus, as in *Brookfield*, plaintiff and defendant have the same interests and there exists no justiciable case or controversy between them.

Accordingly, for the reasons set forth in the court’s opinion in *Brookfield*, issued earlier this day, plaintiff’s protest is **DISMISSED**, without prejudice, for lack of subject-matter jurisdiction. The Clerk is directed to take the necessary steps to dismiss this matter.

IT IS SO ORDERED.

s/ Lawrence J. Block

Lawrence J. Block
Judge