



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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B-178734

AUG 29 1973

ABC Management Services, Inc.
P.O. Box 9961
El Paso, Texas 79990

Attention: Mr. V. B. Schoenfeldt
President

Gentlemen:

We again refer to your telegram of May 25, 1973, and subsequent correspondence, protesting the award made to Old Atlantic Services, Inc. (Old Atlantic), under request for proposals (RFP) N00612-73-R-0158 for mess attendant services at the Marine Corps Air Station, Beaufort, South Carolina, issued by the Naval Supply Center, Charleston, South Carolina, on April 6, 1973.

You contend that Old Atlantic's offered price is not sufficient to meet the minimum manning-hour requirement stated in the solicitation.

Paragraph (a) of section "D" of the solicitation states that the submission of manning charts whose total hours fall more than 5 percent below the stated Government estimate may result in rejection of the offer without further negotiations (unless the offeror clearly substantiates the manning difference with specific documentation demonstrating that the offeror can perform the required services satisfactorily with such fewer hours).

The Government's estimate stated that 231 manhours would be required on weekdays and 167 manhours on weekends. Old Atlantic's manning chart which showed 222 manhours for weekdays and 162 for weekends was therefore within 5 percent of the estimate (95-1/3 percent thereof) and did not require justification.

Further, since the Government's average estimated labor cost for 95 percent of its manhour estimate was \$193,023.37, the contracting officer, when examining Old Atlantic's offer of \$194,199, concluded that it (1) bore a reasonable relationship to, and (2) did not substantially vary with the number of offered manhours.

In 51 Comp. Gen. 303 (1971), we stated that:

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"* * * we think the requirement that offeror's manhours be consistent with offered prices connotes a test of reasonableness, rather than an exact requirement to quote a certain minimum price per manhour. * * * Since we do not think that manning charts can properly be used as an exact formula in the exercise of the discretionary authority (given the contracting agencies in this area, unless there is a clear abuse of such) authority we would not be justified in interposing any objection to the determinations of which offerors are properly considered to be within the competitive range."

See, also, B-173453(1), December 9, 1971.

In the present case Old Atlantic offered 95-1/3 percent of the Government's total estimated manhour requirement at a price which equaled 95-6/10 percent of the Government's total estimated average cost (a less than 1-percent difference).

We have examined the methods used by the Government in determining the estimated cost for its stated estimated manhour requirement. In so doing, we conclude that those estimated cost figures bore a reasonable relation to the estimated number of manhours required. Therefore, the parallelism, noted above, exhibited by Old Atlantic's figures with those of the Government's estimate as to manhours and cost also demonstrated a reasonable relationship between its offered manhours and its offered price as concluded by the contracting officer.

For the reasons stated above, your protest is denied.

Sincerely yours,

Paul G. Dembling

For the Comptroller General
of the United States

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