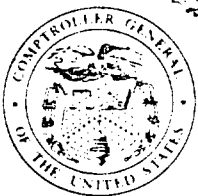


# DECISION



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

FILE: B-185115

DATE: November 11, 1975

MATTER OF: Panel Corporation of America

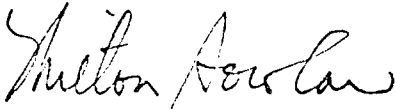
## DIGEST:

Protest against prospective affirmative determination of responsibility is not for consideration on merits.

The protester has advised that it is the fourth low bidder under solicitation F 42600-75-7455, issued by the Department of the Air Force, Hill Air Force Base, Utah, for 6,650 aerial dart tow targets. The protester objects to an award under the subject solicitation to any firm other than itself, contending that none of the three concerns submitting lower bids possesses the capabilities and qualifications necessary to be determined "responsible" for the purpose of a prospective award.

The protester alleges that the low bidder has already been determined nonresponsible due to insufficient capabilities. It is further alleged that neither of the remaining two bidders possesses 30,000 square feet of floor space in their plants (a figure which the protester contends is essential to performance of the prospective contract), nor do they possess the requisite equipment, knowledge, experience, net worth or credit capability to perform in a timely and satisfactory manner.

While there is no evidence in the protester's written submissions to indicate that an affirmative responsibility determination has yet been made with regard to any of the three lower bidders, this Office, with certain exceptions not pertinent here, does not review protests against affirmative determinations of responsibility. Central Metal Products, Inc., 54 Comp. Gen. 66 (1974); 74-2 CPD 64. However, a copy of the protester's contentions has been transmitted to the Department of the Air Force for consideration with regard to any prospective responsibility determination under this solicitation.

*for*   
Paul G. Dembling  
General Counsel