

**DECISION**



*P. J. [unclear]*  
**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

FILE: B-188399

DATE: January 12, 1978

MATTER OF: General Leasing Corporation

**DIGEST:**

Contention that successful offeror proposed unproven design contrary to requirements of RFP is not supported.

General Leasing Corporation protests award to Ampex Corporation of a mandatory requirements contract for items 12 through 17 under General Services Administration (GSA) RFP GSC-CDPR-1-0028. The contract provides replacement memory for various designated Univac data processing equipment. The RFP anticipated that a single contract would be awarded for the six protested items.

The protest focuses on Ampex's proposal to furnish plug-to-plug replacement equipment for Univac 7013 memory. General Leasing maintains that 7013 is a relatively slow and low efficiency memory, without other commercial or Governmental applications. The protester states that it offered modified Fabri-Tek 7005 Memory for this purpose because the Fabri-Tek memory could be easily modified to meet the 7013 requirement without major alteration and because RFP paragraph G.1.3 prevented it from offering unproven equipment.

Paragraph G.1.3 states that:

"The offeror must have the same memory as proposed currently installed in Government or commercial sites by the date set for the receipt of proposals, and such equipment must have performed successfully (e.g., be certified for payment under lease or purchase) for the thirty (30) calendar day period prior to the date set for receipt of proposals. The offeror must submit with his proposal a listing of installations where the proposed equipment is currently installed. \* \* \* Three installations must be listed for \* \* \* proposed memories."

Although General Leasing listed only three Fabri-Tek 7005 installations to meet both the 7013 and a separate

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7005 installation requirement, it maintains that Ampex should have supported its proposed 7005 and 7013 replacement memory with separate site installation data, because the Ampex 7005 memory cannot be utilized to satisfy 7013 requirements unless the equipment is significantly altered. General Leasing believes that Ampex did propose a distinctly different product and that GSA's acceptance of the Ampex proposal was a waiver of the site installation requirement, which the protester believes should have been communicated to all offerors. It states that it could have offered other 7013 memory, at a lower price, had it known that it could propose equipment of substantially new design.

GSA asserts that all of the vendors for Univac replacement memory proposed a single "basic memory" to meet the Government's requirements, which GSA finds was justified because Univac's specifications for the original equipment are similar to each other, except for what GSA characterizes as "minor" differences in timing, packaging, and interface logic. Further, GSA argues that the Ampex equipment was acceptable because it does not involve new technology. In this connection, GSA brands as "absurd" any notion that one vendor could produce 7013 memory more easily than another. It views any modification required as merely entailing "a simple engineering adaptation."

We note that Ampex proposed to meet the 7013 requirement by furnishing ARM 1108R or ARM 1108G. The choice appears to have been left to Ampex, and accordingly, we have reviewed both.

In this connection, we have reviewed various Ampex proprietary documents, including Ampex documentation relating to the engineering changes required to convert 65K ARM 1108R (7005) to 131K (7013) capacity. Our review of those documents indicates that conversion requires no unusual engineering or manufacturing processes, or utilization of unproven Ampex modules. Accordingly, we see no basis for objection to GSA's finding that the resulting 131K unit is little more than a combination of the two proven 65K units in a single box.

Finally, while the site installation data furnished by Ampex relates only to the ARM 1108R, not the ARM 1108G, and although the ARM 1108G includes modules other than those

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comprised by the ARM 1108R, it appears that there had been a number of installations of such modules which Ampex could have cited to demonstrate a prior installation history for that equipment. Moreover, we understand that GSA technical personnel were aware of the essential facts regarding the prior installation history of the ARM 1108G modules.

Accordingly, the protest is denied.



Deputy Comptroller General  
of the United States