

Mr. Roberts

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**DECISION**



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

FILE: B-197203

DATE: February 23, 1981

MATTER OF: Andrew Corporation

*[Protest of Agency Actions in Award of Contract]*  
DIGEST:

Where agency proposes to award contract to protester on protester's primary offer of electrical cable, issue concerning technical acceptability of competitors' cables is moot and issues stemming from agency rejection of protester's alternate offer are academic.

Andrew Corporation protests agency actions in connection with Request for Proposals (RFP) DLA 500-79-R-0923, issued by the Defense Logistics Agency (DLA) for the purchase of electrical cable to meet replacement requirements. For the following reasons, we believe that DLA's proposed action to award a contract to Andrew has mooted Andrew's major protest issue, and has rendered academic other issues raised.

In response to the RFP, Andrew submitted a proposal which consisted of alternate offers. One offer, described by Andrew as its "Primary Bid," was based on furnishing its model FHJ-50 electrical cable. The other was based on an alleged newer model LDF7-50 electrical cable. DLA initially found Andrew's model FHJ-50 cable, as well as similar cable models proposed by several other companies, to be technically acceptable. Andrew protested DLA's finding that any other companies' cables are technically acceptable. Andrew argued that those cables manufactured by its competitors are not compatible with the existing cable connectors in the electrical cable systems of the military departments requiring the replacement cables. As a result of a protest conference held at our Office, during which Andrew personnel physically demonstrated with sample cables and connectors that no cable other than the Andrew FHJ-50 cable is compatible with the cable connectors the military departments use in the

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field, DLA agreed to physically retest all cable models offered. Previous DLA tests were based only on a review of written specifications. Based on the results of these new tests, DLA now agrees with the protester that only the Andrew FHJ-50 cable is compatible with the existing cable connectors in the field. DLA has informed our Office of its intent to award a contract to Andrew based on Andrew's "Primary" offer of FHJ-50 model cable. Consequently, Andrew's protest on this issue is moot.

Notwithstanding DLA's proposed action to award a contract based on Andrew's primary offer, Andrew urges that we consider other protest issues it has raised which stem from DLA's rejection as technically unacceptable of Andrew's alternate offer of LDF7-50 cable. We view these additional protest issues as being academic since Andrew will receive an award. Our Office has consistently declined to consider academic questions. Risi Industries, Inc.; Westmont Industries, B-191024, April 27, 1978, 78-1 CPD 329; L & M Services, Inc.--Reconsideration, B-190873, March 6, 1978, 78-1 CPD 175. Our protest function is to review solicitations and awards or proposed awards in particular cases. In this regard, the ultimate remedy we can recommend in a sustained protest is that the agency award a contract to the protester. Since Andrew will receive award based on its primary offer, we find no reason to consider the other matters raised by Andrew. See Protectors, Inc.--Request for Reconsideration, B-194446.2, December 10, 1979, 79-2 CPD 399.

The protest is dismissed.

*Harry J. Socolar*

For Milton J. Socolar  
General Counsel