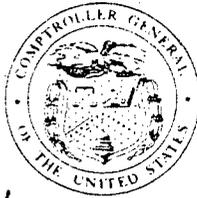


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DECISION

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

[Protest of DLA Issuance of Solicitations for Medical Instrum

FILE: B-201743, ~~1981~~ DATE: March 3, 1981

MATTER OF: Alan Scott Industries

DIGEST:

1. Where protester's initial submission indicates protest is without merit, GAO will render decision on matter without requesting report from procuring activity.
2. GAO does not, as part of its protest function, conduct investigations to establish validity of unsupported allegations.
3. Technical qualifications of agency personnel administering contract and appropriateness of testing procedures utilized by such personnel in administering contract are matters of contract administration not for resolution under Bid Protest Procedures.

Alan Scott Industries (ASI) protests the Defense Logistics Agency (DLA), Defense Personnel Support Center (DPSC), issuance of numerous solicitations (docketed under B-201743, B-201756, and B-201876) for medical instruments on substantially the same grounds as it raised in an earlier protest, decided in Alan Scott Industries, B-199662, et al., January 27, 1981, 81-1 CPD 44.

The protests involve the following: (1) the alleged ambiguity of DPSC medical and dental instrument specifications; (2) the adverse impact on potential suppliers of DPSC's solicitation clause I-14; (3) the possibility that because of the deficiencies raised in issues 1 and 2 there will be abuses in the course of contract administration; and (4) that GAO investigate DPSC contract administration, specifically with regard

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to the technical qualifications of the DPSC technical evaluators and the alleged improper application of MIL-STD-753A in testing for corrosion.

With regard to issues 1, 2, and 3, ASI has failed to present any arguments or information which would distinguish its present contentions from those which were examined in our earlier decision. Further, we do not, as part of our bid protest function, conduct investigations to establish the validity of unsupported allegations. Kurz-Kasch, Inc., B-192604, September 8, 1978, 78-2 CPD 181. Therefore, as to these issues our prior decision is dispositive.

In our view, issue 4 concerns matters of contract administration which are the function and responsibility of the contracting agency and not for resolution under our Bid Protest Procedures. See Colorguard Corporation, B-189893, October 4, 1977, 77-2 CPD 264.

Where a protester's initial submission indicates the protest is without legal merit, we will decide the matter on the basis of the protester's submission without obtaining a report from the procuring activity. Fire & Technical Equipment Corp., B-192408, August 4, 1978, 78-2 CPD 91.

In view of the above, protests B-201743, B-201756, and B-201876 are summarily denied.

Milton J. Fowler

For the Comptroller General
of the United States