

equal to the brand name products as required by the solicitation; (2) Douron is incapable of performing the contract; (3) the contracting officer improperly corrected a mistake in the bid price submitted by Douron; and (4) the lower Buy American Act differential was applied to the Douron bid.

A bid which offers an equal product must conform to the salient characteristics listed in the solicitation to be responsive. TM Systems, Inc., B-205091, April 5, 1982, 82-1 CPD 305. Strict compliance with the listed features of the brand name product is required. Security Assistance Forces & Equipment Export Corporation, B-204936, March 4, 1982, 82-1 CPD 195. Under several items, however, Douron crossed out the listed furniture dimensions and inserted the different dimensions of the furniture which it intended to supply. Item No. 113, for example, requested a panel 18 inches in width and 45 inches in height. Douron crossed out the 45-inch height requirement and inserted in its place 42 inches. Inasmuch as the furniture dimensions were specified, they are salient characteristics, and the insertions of different dimensions by Douron on several items rendered its bid nonresponsive as to those items. Ebsco Industries, Inc.; American of Martinsville, B-206401; B-206401.2, June 2, 1982, 82-1 CPD 524.

The acceptance of the Douron bid by the Administrative Office and its position that the bid is responsive indicate that the specified furniture dimensions were not required to meet the needs of the Government. This overstatement of Government needs, see Ebsco Industries, Inc.; American of Martinsville, supra, is a material solicitation deficiency. In addition, the solicitation was defective in another respect. The IFB failed to include a required or desired delivery schedule. See 51 Comp. Gen. 518, 521 (1972).

Under these circumstances, we normally would recommend cancellation of the IFB and resolicitation. However, since the contract has been fully performed, such remedial action may not be recommended. In future procurements, the Administrative Office should draft solicitations to avoid a recurrence of these deficiencies.

B-209710
B-209710.2

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Because the Douron bid was nonresponsive as to several items and cancellation would have been the proper course of action, we need not address the other objections which have been raised by Burgmeier and Artec.

for Harry J. Van Cleave
Comptroller General
of the United States