

**DECISION**



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

**FILE:** B-208928

**DATE:** June 13, 1983

**MATTER OF:** Electronic Systems, USA, Inc.

**DIGEST:**

Agency decision to make a sole-source award because of inadequate specification and data package and awardee's prior experience with maintaining nonstandard equipment is upheld because the protester has failed to establish decision lacks a reasonable basis.

Electronic Systems, USA, Inc. (Electronic Systems), protests the Department of the Air Force decision to make a sole-source award to Honeywell, Inc. (Honeywell), under request for proposals (RFP) No. F04689-82-R-0008 to obtain maintenance and emergency repair services for a Honeywell temperature control and fire protection system. Electronic Systems contends that the procurement should have been open to competition.

We deny the protest.

The Air Force justifies the sole-source award to Honeywell because inadequate specifications and drawings of the equipment made a competitive procurement infeasible. The Air Force reports that Honeywell, the incumbent contractor and original manufacturer, installed the equipment and has modified and continuously upgraded the equipment so that it no longer is standard Honeywell equipment. Also, the equipment is critical to the Government's space programs and inadequate contractor performance would degrade these programs. Since Honeywell was the only source having the requisite data to effectively maintain the system, the Air Force determined that a competitive procurement would result in an unacceptable technical risk.

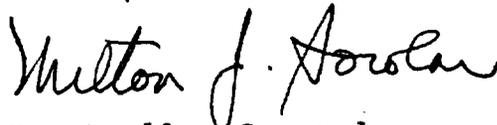
Our Office closely scrutinizes any agency decision to make a sole-source award because, to the maximum extent practicable, competition is required in negotiated procurements. Nevertheless, we uphold the award if there is a rational basis to support the agency decision. A sole-source award may be justified where only one firm can be

reasonably expected to satisfy the Government's minimum needs within the required time without undue technical risk and an adequate specification or data package is lacking. See International Harvester Company, B-205073, May 14, 1982, 82-1 CPD 459, and The Willard Company, Incorporated, B-199705, February 18, 1981, 81-1 CPD 102. Therefore, the protester has the burden of clearly establishing that the contracting agency's decision lacks any reasonable basis.

Electronic Systems maintains that the Air Force does not understand the prior Honeywell contract or equipment and is unwilling to take the time and effort to compile the necessary information to accomplish a competitive procurement. Electronic Systems also alleges that there is nothing unique about the Honeywell equipment and that Electronic Systems has successfully maintained similar systems for years. Electronic Systems believes the Air Force unreasonably assumes inadequate performance would occur with any contractor other than Honeywell. These contentions, however, only dispute the Air Force's position. Without more evidence to show that Electronic Systems is capable of adequately maintaining the nonstandard equipment, Electronic Systems has failed to carry the burden of proving that the agency decision that an unacceptable technical risk would result from a competitive procurement is without a reasonable basis. East Wind Industries, Inc., B-208170, December 29, 1982, 82-2 CPD 587.

Finally, the Air Force also reports that Honeywell was awarded the contract on August 25, 1982, with two 1-year options. But, in response to the protest, action has been taken to investigate the possibility of developing an adequate specification and data package so that the options need not be exercised.

Accordingly, we deny the protest.

*for*   
Comptroller General  
of the United States