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DECISION



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

FILE: B-211957

DATE: November 7, 1983

MATTER OF: DFY Supply, Inc.

DIGEST:

GAO will not consider a protest by a firm proposed for debarment from government contracting since under applicable regulations the firm is ineligible for government contracts pending the outcome of the debarment proceedings.

DFY Supply, Inc., protests the Defense Logistics Agency's (DLA) award of a contract to Krenz Krist Machine, Inc. for fire hose nozzles under request for quotations No. DLA700-83-Q-J458. DFY's lower-priced proposal was determined to be technically unacceptable based on a pre-award survey conclusion that DFY was offering nonconforming merchandise. DFY contests that conclusion and the rejection of its offer. We dismiss the protest.

DLA has informed our Office that DFY has been proposed for debarment from government contracting pursuant to Defense Acquisition Regulation (DAR) §§ 1-600 et seq. (DAC No. 76-41, December 27, 1982). The regulations set forth, among other things, the procedural requirements relating to debarment, and preclude a firm that has been proposed for debarment from receiving government contracts pending the outcome of the debarment proceedings. (DAR § 1-605.1(d).)

Thus, as no determination on DFY's proposed debarment has been made, DFY cannot receive a government contract. Since the firm therefore is not eligible for award here, no useful purpose would be served by our consideration of the merits of this protest. See Archie D. Parker, B-206078, August 24, 1982, 82-2 CPD 72.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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