

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20540

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**FILE:** B-214591.2

**DATE:** September 25, 1984

**MATTER OF:** Washex Machinery Corporation

**DIGEST:**

Protester's bid for the supply of a total hospital laundry system properly was rejected as nonresponsive where the descriptive literature required to be submitted with the bid did not include computations establishing that protester's washroom equipment was capable of processing the workload specified.

Washex Machinery Corporation protests the rejection of its bid as nonresponsive under invitation for bids No. M6-1-84 issued by the Veterans Administration for furnishing a total laundry system for the VA Medical Center at Perry Point, Maryland.

For the reasons stated below, we deny the protest.

Each bidder's task was to design a total laundry system whose selected components--such as washer/extractors, dryers, conveyor systems, ironers and folders, and other equipment needed for storing and dispensing washing solutions and for handling pieces of linen--would be "suitable for installation in available space, arranged for safe and convenient operation and maintenance." As discussed in more detail below, bids were to include data descriptive of the equipment to be furnished, calculations to establish that the system could meet the specified production requirements, a narrative describing the work flow within the system and drawings showing the layout of the system within the space available at the hospital. The IFB specifications, for the most part, were of the performance type: it was each bidder's responsibility to select system components satisfying the specification requirements.

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With regard to data to be submitted with each bid, the IFB provided:

"SUBMITTALS/DRAWINGS: Each bidder with their bid shall submit nine (9) bound copies of each of the following: 1/8" scale drawings of layout of the system proposed, indexed descriptive literature on each item and written narratives outlining the work flow. Drawings shall be self-explanatory and specifically state:

(a) Overall dimensions-floor space requirements, plus elevation, floor loading and ceiling loading requirements.

(b) Location and size of utility lines, trenches and pits i.e., waste, feed, etc., and including power, electrical, gas, steam, air, etc.

(c) Location of all utility lines shall be within a trench where feasible. Number and size of electrical circuit breakers within main electrical panel must be specified.

(d) Bidder must submit production and storage computations and all data that substantiates these computations. Note: Linen delivery carts will not be considered LINEN STORAGE DEVICES."

Washex's bid was the lowest of the six received, but was rejected as nonresponsive for seven reasons. Washex protested the rejection of its bid to the VA and, prior to receiving a reply, to our Office. As a result of Washex's protest, the VA has withdrawn two of its objections to the bid; those which remain are:

(1) the VA's calculations indicated that the washer/extractors offered by Washex could not satisfy the required washroom production rate at the low-temperature wash formulas specified;

(2) required bulk-storage tanks were not shown on the layout drawings nor was there any reference to them in Washex's itemized equipment list;

(3) there was no full-dry storage provided by tumblers, as required;

(4) because line-storage-feed tables were located approximately 12 feet from spreader-feeders, carts would be required to efficiently handle linen--a use of carts prohibited by the IFB;

(5) no product literature was submitted on scales or feed-tables; layout drawings appeared to depict platform-type scales whereas recessed scales were required.

Washex states that these deficiencies are so "insignificant" or "petty" that it was arbitrary of the agency to have rejected its bid and awarded the contract to another firm at a higher price. In its protest, Washex has explained why it believes its bid is responsive notwithstanding the VA's determination and it has offered to rearrange or modify its system in some respects, at no additional charge, to satisfy some of the VA's objections.

We believe that the first reason stated by the VA for rejection of Washex's bid was sufficient justification for the VA's action. We therefore discuss only it.

It is clear from the IFB that the VA is seeking a total system capable of processing a given volume of laundry, beginning with the washroom, as to which the specifications provide:

**"WASHROOM:** The wash system in a 7 - hour workday, shall be capable of processing, (including weighing, receiving, soil sorting, storage and further processing) a minimum of 35,000 pounds (light soiled and medium soiled) of dry soiled linens and uniforms including nomex pajamas and mops equating to 5,000 lbs. per hour. 17,500 lbs. of actual conveyor storage prior to

sorting and 17,500 lbs. of conveyor storage prior to washing is required. This system shall be capable of meeting the production requirements. The system shall be capable of being stopped at any point and manually restarted. Matrix Controls required. Production and storage computations shall be submitted that substantiates offered system will meet all performance requirements. Sources and references for this data shall be submitted with this offer." (Emphasis added.)

In its bid, Washex offered to furnish one 480-pound capacity and five 700-pound capacity washer/extractors. In its brief work flow narrative, Washex described these machines as having a capacity, depending on fabric and extent of soiling, of 430-480 pounds each and 650-700 pounds each, respectively. Washex also included some pages from its catalog descriptive of this equipment. Absent from the bid, however, were any "production and storage computations [which substantiate that the] offered system will meet all performance requirements."

Since Washex did not provide the computations required by the IFB, the VA conducted its own analysis. According to the agency, standards prepared by the National Association of Institutional Laundry Managers and the International Fabricare Institute were used in deriving a wash cycle time of 1 hour to process one load of laundry. This figure includes a 5-6 minute extension of cycle time required for a low temperature system. Using Washex's maximum rated capacity of its washer/extractors, this computes to a total hourly rate of 3,980 pounds--1,020 pounds below the 5,000 pounds per hour rate required by the specifications. The VA points out that this calculation assumes that satisfactory results can be obtained when loading the equipment to its maximum advertised capacity, the equivalent of approximately 6.6 pounds of linen per cubic foot of washer/extractor cylinder volume. The agency states, however, that studies by the former American Institute of Laundering indicate that washer/extractor loading capacity should never exceed 6 pounds of

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linen per cubic foot of cylinder volume and for special soiled hospital linen it should not exceed 5.7 pounds per cubic foot. These considerations would indicate an even lower production capacity for the machines bid by Washex.

In addition, the VA notes that Washex proposed a soiled linen storage monorail system which uses 175-pound capacity slings. The VA states that while the 700-pound capacity washer/extractor is compatible with this size sling load ( $4 \times 175 = 700$ ), the smaller washer/extractor bid by Washex could accommodate only 2 sling loads (350 pounds), which is 130 pounds less than the machine's maximum capacity. This, too, in the VA's words, "would reflect a downward trend in production."

In its initial protest to the VA which also constituted the details of its later protest to our Office, Washex disputes the VA's assumption that it takes 1 hour to process one load of laundry. "Taking into consideration a standard formula used in many laundries, including some VA installations," Washex states, "we consider the number of machines quoted to be more than sufficient to handle the 5,000 lb/hr requirement." Washex also maintains that an article in a trade publication supports its position that low temperature washing does not lengthen wash formula cycle times by 5-6 minutes per cycle, as the VA assumed in its one-hour-per-load calculation. The VA disagrees on the basis that the article was concerned with the relevance of wash water temperature to the killing of bacteria and did not address wash formula cycle times or production capabilities.

Upon being provided with a copy of the VA's report, Washex in effect asked our Office to consider the matter on the existing record.

The issue before us is whether Washex's bid properly was rejected as nonresponsive. Responsiveness involves whether a bid represents an unequivocal offer to provide the requested items in conformance with the invitation's material terms. Abbott Power Corporation, B-192792, April 30, 1979, 79-1 CPD ¶ 295. A bid which does not comply with the material terms is nonresponsive and must

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be rejected. WFT Service Corp., B-206603, Aug. 31, 1982, 82-2 CPD ¶ 190. Moreover, where descriptive data is required to be supplied for use in bid evaluation, the data is a part of the bid submission and is considered in determining if the bid is responsive. Sprague & Henwood, Inc., B-201028, April 6, 1981, 81-1 CPD ¶ 260. Accordingly, the bid must be rejected if the data does not clearly show that the offered product complies with the specifications. Amray, Inc., B-205037, Feb. 9, 1982, 82-1 CPD ¶ 116.

There is no dispute in this case that the specification requirement that the wash system be capable of processing 5,000 pounds of linen per hour is material. The issue here is whether Washex's bid was rejected as nonresponsive to that requirement for insubstantial reasons. The determination of the technical adequacy of bids, based on the submission of descriptive literature, is essentially a technical evaluation. Calma Company, B-209260.2, June 28, 1983, 83-2 CPD ¶ 31. In keeping with our basic standard of review of technical evaluations, we have held that we will not disturb the determinations of the technical evaluators of contracting agencies concerning the adequacy of technical data absent a clear showing of unreasonableness, an arbitrary abuse of discretion or a violation of procurement statutes and regulations. Interad, Ltd., B-210013, May 10, 1983, 83-1 CPD ¶ 497.

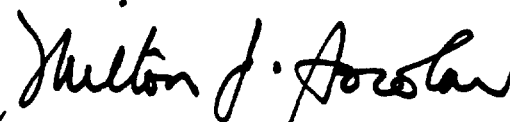
Here, the solicitation stated in two places that each bidder's descriptive literature must include computations which substantiate that the system it offered will meet the production requirements, and that the bidder must disclose the sources and references for those computations. Neither in its bid nor in its protest to our Office has Washex furnished any such computations. It states that its machines will meet the production requirement "taking into consideration a standard formula used in many laundries, including some VA installations" but it has not disclosed what that formula is nor does it identify the other VA installations and explain how their operations are comparable to the Perry Point project. In addition, the protester has not addressed the VA's arguments that an analysis of the pounds of linen per cubic foot of washer/extractor cylinder volume appropriate for satisfactory results and the limitations imposed by the protester's proposed use of 175-pound capacity slings both suggest that production

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rates would be even lower than the below-specification rate obtained using the maximum advertised capacity of the protester's machines.

In view of the specificity of the VA's analysis, and the generality of the protester's objections, we have no basis upon which to conclude that the agency unreasonably determined that Washex's bid was not responsive to this material requirement of the IFB.

The protest is denied.

*for*   
Comptroller General  
of the United States