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DECISION

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

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FILE: B-215694 **DATE:** November 2, 1984

MATTER OF: X-Rite Company

DIGEST:

Where protester does not contend that rejection of quotation on small purchase procurement was made in other than good faith, determination to reject quotation after technical evaluation is upheld where protester's literature failed to show equality of item to the brand name specified.

X-Rite Company (X-Rite) protests the rejection of its quotation on Defense Mapping Agency (DMA) request for quotations (RFQ) No. DMA700-84-M1750. X-Rite's quote was rejected based upon a technical evaluation which indicated that X-Rite's product was not equivalent to the brand name product in the description.

The RFQ described the item to be purchased as: "Densitometer, Reflection, DOT/Area/Trap Reflection, Model RD918 for pressroom Densitometry--Measures Density, Null Density and Percent Dot Area on paper and plates. MacBeth P/N." The procurement was handled under the small purchase procedures and was synopsized in the Commerce Business Daily. Three firms submitted quotes.

Based upon our review of the record, we deny the protest.

X-Rite contends that it offered an "or equal" product which does everything the MacBeth unit does, but argues that the evaluation only consisted of reviewing its advertising/specification sheets. X-Rite complains that its offer of a demonstration or use by the agency of a trial unit was ignored and that the agency did not conduct negotiations.

X-Rite's quote was rejected as nonresponsive because the descriptive literature submitted by X-Rite to describe its model 328 densitometer indicated that the model 328 was lacking the following characteristics contained in the brand name equipment: (1) capable of reading 0/0 dot area on plates; (2) inter-instrument agreement which the agency

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contends is critical in the printing process; (3) a glass interference filter which is necessary for letter inter-instrument agreement and accurate repeatable densitometric readings; (4) a carrying handle for portability or probe storage capability for protection of the probe; and (5) statement of the accuracy that can be expected when used in the color mode. Although X-Rite offered a demonstration or use of a trial unit in a letter accompanying its quote, this offer was not accepted by the contracting agency because of the numerous deficiencies noted in the technical evaluation.

Although Federal Acquisition Regulation § 10.004 (to be codified at 48 C.F.R. § 10.004) indicates that the purchase description should have identified the requirement by use of the brand name followed by the words "or equal," X-Rite was not prejudiced by this omission since its quote was considered on the "or equal" basis. In view of the fact that X-Rite's descriptive literature failed to show that its part was equal to the MacBeth part, we agree with the contracting agency's decision to reject the X-Rite quotation. X-Rite has not furnished any evidence to show that the technical evaluation of its product was unreasonable.

Small purchase procedures are designed to minimize the administrative costs of acquiring the items and, consequently, a contracting officer need only solicit quotations from a reasonable number of potential sources, judge the advantages and disadvantages of each quotation in relation to the prices quoted, and determine in good faith which quotation will best meet the needs of the government. R. E. White & Associates, Inc., 61 Comp. Gen. 321 (1982), 82-1 C.P.D. ¶ 294. X-Rite does not contend and the facts do not indicate that the decision to reject its quotation was made in other than good faith. Further, there was no requirement that the agency obtain further information from X-Rite when the technical evaluation was negative. It is the responsibility of the quoter to establish that its product complies with the characteristics of the brand name product. Bai Lar of California, B-213504, June 25, 1984, 84-1 C.P.D. ¶ 663. Since X-Rite's product did not indicate such compliance, it was properly rejected.

The protest is denied.

for Milton J. Socolar
Comptroller General
of the United States