

DECISION



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

FILE: B-220580 DATE: December 16, 1985
MATTER OF: Systems and Facilities Corporation

DIGEST:

Protest of allegedly restrictive specifications is dismissed where another potential offeror files a protest with the General Services Board of Contract Appeals raising essentially some of the same issues.

Systems and Facilities Corporation (SAF) has filed a protest against request for proposals (RFP) No. SSA-RFP-86-0014 issued by the Social Security Administration for the acquisition of terminals and related communications equipment.

SAF contends that the RFP is unduly restrictive of competition. Memorex Corporation, another potential offeror, has filed a protest against this same procurement with the General Services Board of Contract Appeals (GSBCA). Memorex's protest essentially involves some of the same issues as SAF's protest to our Office, and other firms have intervened in the protest before the GSBCA.

Our Bid Protest Regulations provide that a procurement that is the subject of a GSBCA protest may not be the subject of a protest here while the protest is before the board. The rule reflects the statutory intent inherent in the Competition in Contracting Act of 1984, Pub. L. No. 98-369, Title VII, §§ 2713 and 2741, that there be mutually exclusive administrative forums for resolving challenges to procurements subject to the Brooks Act, 40 U.S.C. § 759 (1982). See Resource Consultants, Inc., B-218634.2, Nov. 21, 1985, 65 Comp. Gen. _____, 85-2 CPD ¶ _____; Comdisco, Inc., B-218276.2, Apr. 4, 1985, 85-1 CPD ¶ 391.

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Since Memorex's protest of this procurement is pending before the GSBICA, we dismiss SAF's protest.

Ronald Berger
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Deputy Associate
General Counsel