



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Independent Metal Strap Company, Inc.
File: B-223894
Date: August 18, 1986

DIGEST

Allegation that bid was below cost does not provide a valid basis on which to challenge a contract award. Allegations regarding the possible violation of anti-trust laws are properly for referral to the Department of Justice.

DECISION

Independent Metal Strap Company, Inc. (Independent), protests any award of a contract to Acme Packaging Division of Interlake, Inc. (Acme), under solicitation No. 2FC-EAX-A-A4362-S, issued by Region 2, General Services Administration (GSA), New York, New York, for galvanized steel strapping. According to Independent, Acme has dramatically lowered its prices for solicitation items 15 and 16 below cost in order to destroy Independent's ability to compete. Independent alleges that Acme is violating anti-trust laws.

We dismiss the protest.

The alleged submission of a below-cost bid is not itself a basis to challenge validity of a contract award. EVCO National, B-220635, Oct. 18, 1985, 85-2 C.P.D. ¶ 427. As for the alleged violation of the anti-trust laws, our Office does not consider allegations of anti-trust violations; any evidence of such violations properly is for consideration by the Department of Justice. See Barrier Industries, Inc., B-210050, Jan. 6, 1983, 83-1 C.P.D. ¶ 11. GSA referred Independent's allegation to the Department of Justice, which determined the case unsuitable for further action.

The protest is dismissed.

Robert M. Strong
Deputy Associate General Counsel