C. Melo

The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: IBM Corporation

File: B-227065.2

Date: December 11, 1987

DIGEST

1. Contention that benchmark required under request for proposals (RFP) for computer equipment was performed on a model with greater capacity than model awardee offered under RFP is without merit where model used for benchmark, although initially having greater capacity, was converted through physical and electronic removal of a modular unit to the smaller model awardee offered under the RFP.

2. Computer equipment offered by awardee constitutes a single model, not a multiple model configuration, despite the fact that it can be broken down into two smaller models, when the model offered by awardee is designated and sold by the manufacturer as a separate model and is recognized as such in the request for proposals.

DECISION

IBM Corporation protests the award of a contract to ViON Corporation under request for proposals (RFP) No. F33600-86-R-0447, issued by the Air Force for a computer processor and related software and maintenance services. We deny the protest.

The RFP, issued on a brand name or equal basis, called for offers to provide a computer processor, IBM model 3090-400E or equal, as well as software support and maintenance services during the base year and 4 option years. The RFP contemplated award of a fixed-price contract to the lowest priced, technically acceptable offeror. The RFP also required that before award would be made to an offeror proposing non-brand name equipment, the equipment would have to successfully execute a benchmark tape developed by the Air Force.

Offers were submitted by two firms, IBM, which offered the brand name model, and ViON, which offered a National Advanced Systems (NAS) model AS/XL 90 as equal to the brand name. Both offers were found technically acceptable. As the offeror with the lowest evaluated price, ViON was in line for award. As required by the RFP, ViON then conducted the benchmark test on its non-brand name equipment. The Air Force determined that the benchmark had been performed successfully and subsequently made award to ViON.

IBM challenges the award to ViON, arguing that (1) the equipment on which the benchmark was performed was not the same equipment on which ViON's offer was based and (2) the offered equipment does not meet a requirement in the RFP for identical central processing units (CPUs). As discussed in detail below, we find both arguments to be without merit.

Benchmark

According to the Air Force and ViON, the model ViON offered, an NAS AS/XL 90, is one in a series of four modular design models (the AS/XL 60, 80, 90, 100) which differ according to the number of "instruction processors" they contain; the AS/XL 60 contains one instruction processor, the AS/XL 80, two instruction processors, the AS/XL 90, three, and the AS/XL 100, four. The benchmark test required under the RFP was performed on an AS/XL 100 model which ViON had modified for purposes of the test by removing one of its four instruction processors. According to ViON, physical and electronic removal or addition of instruction processors is a relatively simple process which users of the modular design AS/XL series models routinely perform, usually to increase the capacity of a smaller model by adding instruction processors. The Air Force states that its technical representatives at the benchmark test verified that ViON had reduced the number of instruction processors on its equipment from four to three.

IBM contends that the AS/XL 100 model ViON modified for purposes of the benchmark merely emulated the AS/XL 90 model ViON offered under the RFP and that there was insufficient assurance that the modified equipment had the same features as the AS/XL 90 model on which ViON's proposal was based.

The descriptive literature for the AS/XL model series shows, as ViON contends, that the different models in the series are distinguished by the number of instruction processors they contain. Further, IBM has not refuted ViON's assertion that the modular design of the AS/XL models allows the removal of instruction processors from the equipment. As a result, in our view, once the fourth instruction processor was removed from the AS/XL 100 model to be used for the

benchmark test, that model in fact became an AS/XL 90, the model ViON offered under the RFP.

IBM argues that removal of an instruction processor from the AS/XL 100 did not adequately ensure that the equipment's operating characteristics--specifically, its memory capacity and number of channels--were the same as in an AS/XL 90. We disagree. The descriptive literature shows the same range of minimum and maximum memory capacity and channels for both the AS/XL 100 and the AS/XL 90; as a result, we see no reason to assume without further evidence that the AS/XL 100 model as modified for the benchmark necessarily had a greater memory capacity or number of channels than the AS/XL 90. Further, ViON represented, and the Air Force officials at the benchmark were satisfied, that the model used for the test had the same capacity as the model ViON had offered under the RFP. Should the equipment actually delivered by ViON under the contract not perform as the equipment tested at the benchmark, the Air Force at that time could take appropriate action against ViON; however, IBM's current unsupported challenge to the benchmark model simply is not sufficient to show that the Air Force improperly found that the benchmark model was identical to the offered model.

CPU requirement

Section C.2.1.1 of the RFP provides in pertinent part as follows:

> "The Contractor shall furnish an IBM 3090-400E, or equal. Configurations which utilize an architecture based on multiple 'vendor models' may be furnished only if their CPUs are identical. The following, by vendor, are examples of vendor models with identical CPUs.
>
> . . . . .
>
> "(c) NAS AS/XL vendor models; AS/XL 100, AS/XL 90, AS/XL 80, AS/XL 60. . . ."

IBM characterizes the AS/XL 90 model offered by ViON as a "multiple 'vendor model'" within the meaning of section C.2.1.1, comprised, in IBM's view, of one AS/XL 80 (with two instruction processors) and one AS/XL 60 (with one instruction processor). Based on this assumption, IBM contends that the AS/XL 90 does not satisfy the requirement in section C.2.1.1 for identical CPUs since the AS/XL 80 and the AS/XL 60, which IBM regards as CPUs, have unequal capacity.

We find IBM's argument to be without merit since we do not agree that the AS/XL 90 is a configuration comprised of multiple vendor models to which section C.2.1.1 applies. By listing the AS/XL 90 as a separate model in the AS/XL series, the RFP clearly treated the AS/XL 90 as a single model rather than as a combination of two smaller models. In addition, while, as IBM maintains, the AS/XL 90 with three instruction processors could be broken down into an AS/XL 60 (one instruction processor) and an AS/XL 80 (two instruction processors), it is not simply an ad hoc combination of two existing models for purposes of this particular procurement. Rather, since the AS/XL 90, like the AS/XL 60, 80, and 100, is a separate model so designated and sold by the manufacturer, in our view, it constitutes a single model, not a configuration of multiple models within the meaning of section C.2.1.1. As a result, since the model ViON offered in our view constitutes a single vendor model, the requirement in section C.2.1.1 for identical CPUs where multiple vendor models are offered does not apply to the ViON equipment.

In any event, even assuming, as IBM argues, that the AS/XL 90 is a multiple configuration consisting of an AS/XL 80 and an AS/XL 60, it clearly meets the requirement for identical CPUs since section C.2.1.1 itself lists the four AS/XL models, including the AS/XL 60 and 80, as having CPUs identical to each other. IBM argues that this interpretation of section C.2.1.1 is too limited; in IBM's view, section C.2.1.1 also requires that the CPUs in the offered equipment be configured symmetrically. IBM bases its contention on the manner in which the software used for the benchmark operates. Specifically, IBM states that to operate the software, any configuration of equipment offered must be partitioned into groups of no more than two instruction processors each. According to IBM, since ViON's AS/XL 90 would be partitioned into two parts of unequal capacity (one AS/XL 80 with two instruction processors, and one AS/XL 60 with one), ViON's equipment does not satisfy the requirement for identical CPUs.

IBM's position is not supported by the plain language of section C.2.1.1. As noted above, Section C.2.1.1 lists the AS/XL 60, 80, 90 and 100 as models having identical CPUs, and clearly states that any configuration of equipment composed of those models would satisfy the requirement for

identical CPUs. Contrary to IBM's contention, there is no additional requirement that the equipment have a symmetrical configuration of CPUs in order to comply with section C.2.1.1.

The protest is denied.

James F. Hinchman
General Counsel