

Has for the ✓



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: East West Research, Inc.

File: B-236833

Date: January 8, 1990

DIGEST

A procuring agency's technical evaluation of a proposed alternate product resulting in its rejection as technically unacceptable will not be disturbed absent a clear showing that the agency has acted unreasonably.

DECISION

East West Research, Inc., protests the rejection of its offer under Defense Construction Supply Center (DCSC) request for quotations (RFQ) No. DLA700-89-X-HE11. The RFQ, issued pursuant to Federal Acquisition Regulation Part 13 small purchase procedures, was for five air blow guns, McMaster-Carr Supply Co. Part No. 5457K51 or alternate. East West's quote was rejected because its alternate product manufactured by Amflo Products was determined to be unacceptable.

We deny the protest.

East West submitted the lowest priced quote of the five received. It offered a unit price of \$6.25 for a total price of \$31.25. The agency found that the Amflo item was designed with a hanger on its body, which the brand name item did not have. The agency decided that this extra feature limited the use of the blow gun by reducing its capability of being inserted into smaller spaces and therefore rejected it as unacceptable. Award was subsequently made to the second low offeror, who offered the brand name McMaster-Carr product at a unit price of \$7.50 for a total of \$37.50.

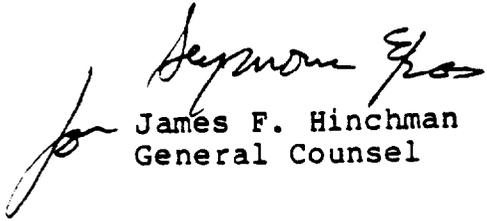
The protester raises a number of arguments, most of which concern either the method used by the agency to conduct its evaluation or the specifications which allegedly should have been included in the RFQ. The protester does not, however, argue that the hanger feature is not a

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characteristic which distinguishes the blow gun it has offered from the model listed in the RFQ.

We have carefully reviewed the record and we find nothing unreasonable in the agency's technical determination that the protester's offered product, which included an extra feature which the agency considered undesirable, was not equivalent to the item listed in the solicitation. See The Mat Works, B-234650, June 22, 1989, 89-1 CPD ¶ 589.

The protest is denied.

James F. Hinchman
General Counsel