



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Mannesmann Tally Corporation

File: B-238790

Date: March 22, 1990

John C. Cooper, for the protester.

John W. Van Schaik, Esq., and John Brosnan, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest is dismissed where a protest of same procurement filed by another party raising matters dispositive of the issue of entitlement to award is pending before the General Services Administration Board of Contract Appeals.

DECISION

Mannesmann Tally Corporation protests the award of a contract to Federal Technology Corporation under request for proposals (RFP) No. 101-14-89, issued by the Department of Veterans Affairs (VA) for dot matrix utility printers.

We dismiss the protest.

Mannesmann filed its protest with our Office on March 6, 1990. The protester contends that the VA improperly evaluated the awardee's proposal which allegedly included unbalanced and unrealistic prices on optional maintenance work. Mannesmann also argues that its own proposal was improperly determined to be unacceptable by VA based on an incorrect reading of the proposal.

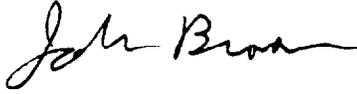
On March 12, Datasouth Computer Corporation, another offeror under the solicitation, filed a protest concerning this procurement with the General Services Administration Board of Contract Appeals (GSBCA). Datasouth essentially argues that the awardee's proposed pricing was unbalanced with regard to both the printers and the optional maintenance and argues that, if fairly evaluated, it would be the low offeror entitled to award. Subsequently, Systems, Terminals & Communications Corp. and Integration

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Technologies Group (ITG) have also filed protests at the GSBICA concerning this procurement.

Our Bid Protest Regulations provide that after a particular procurement is protested to the GSBICA, that procurement may not, while the protest is before the GSBICA, be the subject of a protest to the General Accounting Office. 4 C.F.R. § 21.3(m)(6) (1989). As the procurement in question is the subject of a protest currently before the GSBICA raising matters dispositive of the issue of entitlement for award, we will not consider Mannesmann's protest. Military Professional Resources, Inc., B-233570, Nov. 29, 1988, 88-2 CPD ¶ 536; Norden Service Co., Inc., B-231575, July 5, 1988, 88-2 CPD ¶ 10.

The protest is dismissed.



R Ronald Berger
Associate General Counsel