



**Comptroller General  
of the United States**

**Washington, D.C. 20548**

**Decision**

**Matter of:** Interstate Industrial Incorporated  
**File:** B-241974  
**Date:** November 13, 1990

Graham G. Chumley for the protester.  
Catherine M. Evans, Office of the General Counsel, GAO,  
participated in the preparation of the decision.

**DIGEST**

Protest that awardee and other bidders did not possess required state licenses at time of bid opening is dismissed; a contractor's compliance with a state licensing requirement is a matter for resolution by the contractor and the state or local authorities, not by federal officials.

**DECISION**

Interstate Industrial Incorporated protests the award of a contract to any other bidder under invitation for bids (IFB) No. R6-10-90-39, issued by the Forest Service, Department of Agriculture, for fabrication and assembly of a 5-ton jib crane at Rogue River National Forest. Interstate, the fourth low bidder, claims that bids of the awardee, Galifco Oregon, and the two intervening bidders are nonresponsive because the bidders allegedly lacked the state licenses required to perform the work at the time of bid opening.

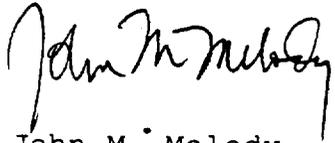
We dismiss the protest.

Where a solicitation does not impose a requirement that a bidder have a particular license, but instead contains only a general requirement that the bidder comply with any applicable licensing requirements, the contracting officer may properly make the award without regard to whether the bidder possesses the licenses at the time of award. Rowe Contracting Serv., Inc., B-228647, Oct. 29, 1987, 87-2 CPD ¶ 416. A contractor's compliance with state requirements is a matter for resolution by the contractor and the state authorities, not federal officials, since federal procurement officials are generally not in a position to know what is required by state and local licensing requirements. Al Johnson Reforestry, B-227545, Oct. 9, 1987, 87-2 CPD ¶ 348.

Here, the IFB did not require that bidders meet any particular licensing requirements, but provided only that the contractor

will "accomplish all electrical work with state licensed electricians." As the contracting officer noted in a letter enclosed with Interstate's protest, the contractor could meet this requirement by using its own licensed electricians or by subcontracting the work to licensed electricians. Thus, Galifco's and the other bidders' alleged lack of the appropriate licenses at the time of bid opening is not a basis for denying it the contract. To the extent that performance of the contract may be affected by the contractor's failure to obtain the necessary licenses, this is a matter of contract administration which our Office does not review. 4 C.F.R. § 21.3(m)(1) (1990); see Rowe Contracting Serv., Inc., B-228647, supra.

The protest is dismissed.



John M. Melody  
Assistant General Counsel