



Comptroller General
of the United States

Washington, D.C. 20548

B-231993

November 4, 1988

The Honorable Edward C. Aldridge
The Secretary of the Air Force

Dear Mr. Secretary:

Enclosed is a copy of our decision of today sustaining the protest of Commercial Energies, Inc. (CEI), under solicitation No. F05600-88-R-0004, for the purchase of natural gas.

We sustain the protest on the ground that the award, which was to be made to the low, technically acceptable offeror, was essentially based on price; applicable regulations call for inclusion of a small disadvantaged business (SDB) evaluation preference in solicitations providing for award based on price and price related factors.

We accordingly recommend that the Air Force amend the solicitation to include the SDB preference. We also find CEI entitled to recover its protest costs.

We direct your attention to CICA, 31 U.S.C. § 3554(e)(1) (Supp. IV 1986), which requires the head of the procuring activity to report to our Office within 60 days if our recommendation has not been fully implemented. In any event, please advise our Office of the action taken.

Sincerely yours,

A handwritten signature in cursive script, reading "Milton J. Ascolan", is written over the typed name.

Acting Comptroller General
of the United States

Enclosure