

**DECISION****THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

30910

97556

FILE: B-182422

DATE: September 3, 1975

MATTER OF: D. Moody &amp; Co., Inc.

**DIGEST:**

Procuring activity should review its decision not to accept surplus armatures because of age in future procurements, in view of statements submitted by rejected bidder and industry personnel that age is not determining factor and inconsistent procurement practice of agency with regard to accepting similar items.

D. Moody & Co., Inc. (Moody), has protested the rejection of its bid under request for proposals (RFP) No. F41608-75-50607 issued at Kelly Air Force Base, Texas, because its bid offered surplus items which the Air Force found to be unacceptable.

Item 0001, the item in dispute here, was for 66 motor armature assemblies (FSN 2925-295-1995, Lear Siegler, Inc., Part No. JH12665/1). The following three offers were received for this item:

Alamo Aircraft Supply	\$ 68.25
Moody	115.00
Lear Siegler	182.98

Both Alamo and Moody offered unused surplus items while Siegler offered new material. The contracting officer, in accordance with San Antonio ALC/Kelly Air Force Base Regulation 74-4, forwarded the Alamo and Moody offers to the Directorate of Materiel Management (DMM) for a determination as to the acceptability to the Government of the surplus items. ✓

Technical personnel at DMM determined that the surplus items offered were unacceptable because of age. The armatures Moody offered were 6 years old. In its report to the contracting officer, DMM states that such armatures having a shelf storage age of over 12 quarters (3 years) do not have an adequate remaining useful service life. This is based on the DMM view that the assembly could have corrosion damage which may not be visible

B-182422

and that the varnish insulation on the windings could have become brittle with age and have a tendency to crack and cause a short circuit in the armature.

Because of the above determination, the offers of Alamo and Moody were rejected and on October 4, 1974, award was made to Lear Siegler.

Moody has challenged the above technical determination on several bases which will be discussed below.

Initially, Moody contends that Air Force Management List C2925-ML-AF-CB-3(AFML), which indicates the shelf-life limitations of various standard parts, shows that the above determination was wrong. AFML has the armature assemblies listed with the code 0, which means the item is not subject to shelf-life controls. Moody interprets this to mean that the item is nondeteriorative and, therefore, age is no reason to reject the items offered. The contracting officer answers this contention by stating that code 0 is assigned to parts which remain suitable for use when stored more than 60 months and not that the items do not deteriorate. Definite storage periods are only assigned those items which age rapidly.

While the Air Force position that code 0 is not synonymous with "nondeteriorative" seems to be reasonable, we believe the inconsistency between the action of Kelly AFB in rejecting items over 3 years old and the AFML, which shows the items are acceptable if not over 5 years old, should be resolved.

Next, Moody contends that the "Hi-Pot" test called for by Air Force Technical Order No. 8D12-3-3-13 is sufficient to discover any short circuits which are present in the armatures and, therefore, the Air Force has adequate protection against receiving defective assemblies. The Air Force contends that the armature is not working or under a "dynamic load" during this test, which involves the application of 220 volts across the commutator bar and shaft and then across the commutator bar to determine if there are any short circuits present, and therefore, is not adequate to discover possible insulation breaks.

B-182422

In rebuttal to the above, Moody has submitted statements from numerous persons familiar with these armature assemblies and varnishes which refute the Air Force's contention. These persons include officials of varnish manufacturing firms, and firms which repair and overhaul the starter motors. They state that the varnish does not crack in this period of time (12 quarters) and that when the starters are overhauled and serviced, the armature assemblies are not replaced due to age but only if they fail the "Hi-Pot" test or one of the other tests called for by the applicable Air Force Technical manuals.

Also, Alamo, in its comments on Moody's protest, notes that technical data prepared by the manufacturer of the assemblies, Lear Siegler, makes no reference to replacement of the assemblies due to age. Moreover, Alamo points out that it was given an award on June 17, 1975, under solicitation FD2050-75-56969 issued by Kelly AFB, for a similar type of armature, the newest of which was packaged in March 1972, with some items considerably older. Finally, Alamo advises that it is presently under consideration for award of a contract by Kelly AFB for more armatures which are 14 years old.

With further reference to the above award made to Alamo on June 17, 1975, we note with interest the contents of the letter dated April 28, 1975, from Kelly Air Force Base to Alamo requesting that samples be submitted prior to award under solicitation FD2050-75-56969. This letter contained the following with regard to acceptance of the items:

"4. In the event the samples are acceptable, the remaining items will require 100 percent inspection at source for Item 0001 as follows:

"a. Inspection/test shall be in accordance with T.O. 2JA3-37-13 and Drawing Nr. 20069-1067 (copy of drawing furnished to DCASO San Antonio only). Drawing is furnished for reference purposes only. Dimensional inspection is not required.

"b. Visually inspect the armature windings for damaged insulation. Inspect all parts for distortion, cracks or discoloration. Check to be sure that all conductors are firmly soldered to the commutator

B-182422

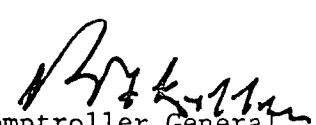
risers. Check commutator for scratched, marred or pitted surface.

"c. Each armature procured under PR 75-56969 shall be tested with a Growler, checking for shorted coils, and a High Pot Test of 300V, AC, 60 cycles, for one (1) second between commutator and shaft to check dielectric strength of coil insulation.

"d. Insure that the armature conforms to dimensional tolerances specified in attached drawing. Any armature not meeting inspection and test criteria shall be rejected."

We note that although the fact that corrosion damage may not be visible entered into the determination under RFP -50607, that was not considered critical under RFP -56969.

As the contract has been completed, no corrective action is possible at this time and the protest is denied. However, in view of the evidence submitted by both Moody and Alamo and the conflicting procurement actions taken by the Air Force with regard to armature assemblies, we are recommending that the procurement activity review its decision to reject assemblies due solely to age, for future solicitations.

  
Deputy Comptroller General  
of the United States