

DOCUMENT RESUME

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[Qualification to Manufacture Solicited Items]. B-189094. July 28, 1977. 1 pp.

Decision re: A. B. Machine Works, Inc.; by Paul G. Deabling, General Counsel.

Issue Area: Federal Procurement of Goods and Services (1900).

Contact: Office of the General Counsel: Procurement Law I.

Budget Function: General Government: Other General Government (806).

Organization Concerned: Defense Logistics Agency.

Claimant protested that the agency's request for data regarding the protester's manufacturing qualifications was unnecessary. No purpose would be served by considering the protest since the protester was not the low offeror and price was the determining award factor; thus, the protester would not be awarded the contract even if qualified. (Author/SC)

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Proc. I

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20540

FILE: B-189094

DATE: July 28, 1977

MATTER OF: A.B. Machine Works, Inc.

DIGEST: Firm that submitted unsolicited offer under DLA solicitation protests that DLA's request for data regarding protester's manufacturing qualifications was unnecessary. No purpose would be served by considering protest, since protester is not low offeror and price is determining award factor; thus, protester would not be awarded contract even if qualified.

A.B. Machine Works, Inc. (A.B.), argues that a request by the Defense Logistics Agency (DLA) to submit manufacturing drawings for the purpose of determining whether A.B. is qualified to manufacture rotor assemblies being procured under solicitation No. 700-76-R-1346 was unnecessary. A.B. contends that it has already qualified to manufacture the items.

We have been advised by DLA that its request came after receipt of an unsolicited offer from A.B. to supply the requirement. However, DLA also states that A.B.'s offered price is not low under the solicitation, which prescribes price as the determining award factor and, therefore, that even if A.B. were a qualified manufacturer, it would not receive the contract award. In this connection, DLA further advises that it has continued to consider A.B.'s qualification to produce the subject rotor assembly for reference in future procurements of the item.

In view of the above, there would be no purpose in considering the matter.

Paul G. Dembling
Paul G. Dembling
General Counsel