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DECISION



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

FILE: B-195196.3

DATE: August 4, 1981

MATTER OF: Security Assistance Forces and
Equipment International, Inc. -
Reconsideration

DIGEST:

Prior decision holding that Army properly omitted logistical support from solicitation for services to be performed in Federal Republic of Germany is affirmed because despite protester's characterization of these services as being purchased by contractors the provision of logistic services is at discretion of military commanders and protester has not shown that determination of Army is not supported by record.

Security Assistance Forces and Equipment International, Inc. (SAFE) requests reconsideration of our decision, Security Assistance Forces and Equipment International, Inc., B-195196; 195196.2, July 10, 1980, 80-2 CPD 24. In that decision we denied SAFE's protest that the solicitation for technical services for a European facility improperly provided that logistic support would not be provided to contractor personnel and that its proposal was improperly rejected. We held that the Army's omission of logistic support was justified since the contracting officer determined that adequate competition existed from firms located within the Federal Republic of Germany so that the Army was not required to incur expenses incident to providing logistic support.

SAFE contends that our Office misunderstands the basic concepts of logistic support in that it is not given to contractors but offered in exchange for lower prices offered by the contractor. SAFE further alleges that there was no evidence to justify precluding logistic support under the contract.

[Request for Reconsideration]

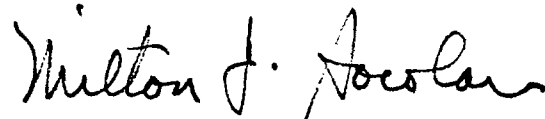
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Notwithstanding whether logistic support is given or "bought" by the contractor offering lower prices, the provision of logistic support is the responsibility of military commanders who are given broad authority to control access to and to manage resources. As a practical matter, we are informed that the facilities which can be made available to contractor personnel, their spouses and dependents (such as transient quarters, dependent schooling, military exchange, commissary, and postal services) are frequently austere and intensively patronized. It is, therefore, a matter of keen interest to military commanders that additional patronage of logistic support facilities and services by other than DOD personnel and families be held to a minimum.

The Army recognizes that in some cases, it is necessary to provide logistic support for contractors' technical experts in order to obtain needed supplies or services. Accordingly, a solicitation may offer logistic support when that need is foreseen or a contracting officer may obtain command approval to extend logistic support when the need arises during negotiations with offerors. In such cases, the interests of the Government in acquiring supplies and services must be weighed against the additional burden imposed upon the logistic support facilities and services.

Considering the discretionary nature of logistic support contract provisions, the evidence supports the contracting officer's decision. The protester has not negated the reasonableness of the contracting officer's determination that the required services were available from firms within Germany and there was no necessity for soliciting firms elsewhere or for providing the inducement of an offer to provide contractor personnel individual logistic support.

Since the request for reconsideration does not advance facts or legal arguments which show our earlier decision was erroneous, the decision is affirmed.

A handwritten signature in cursive script that reads "Milton J. Fowler".

Acting Comptroller General
of the United States

