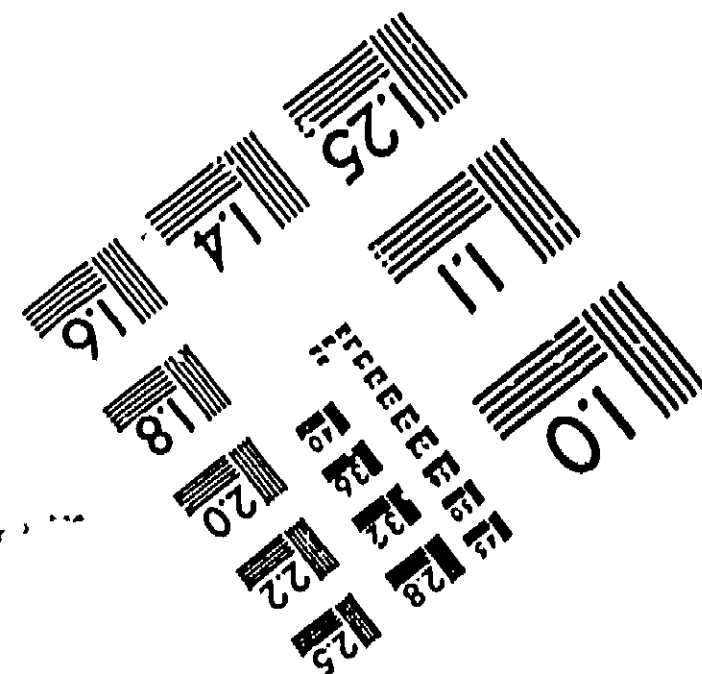
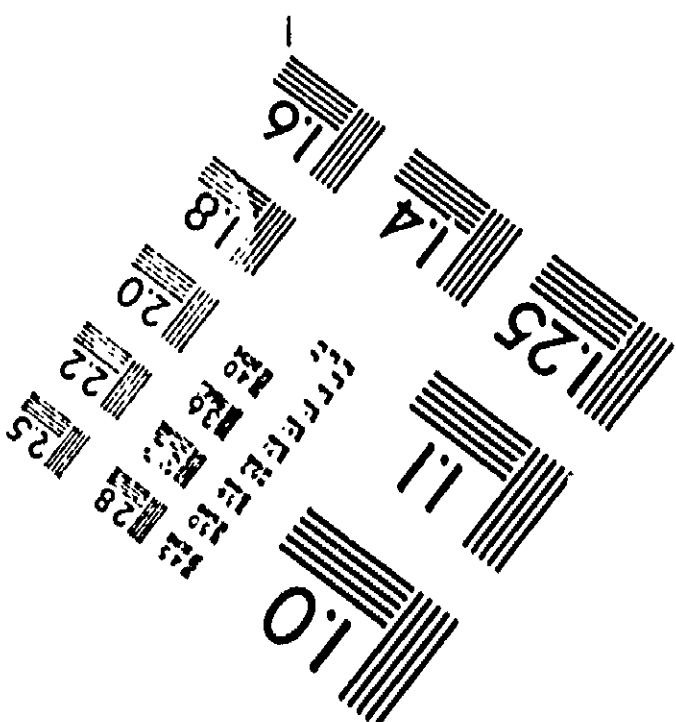
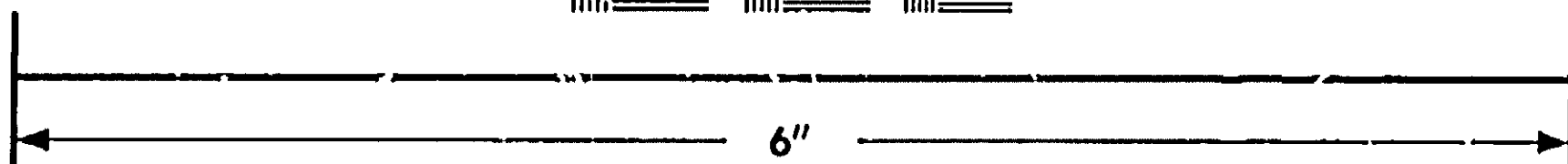
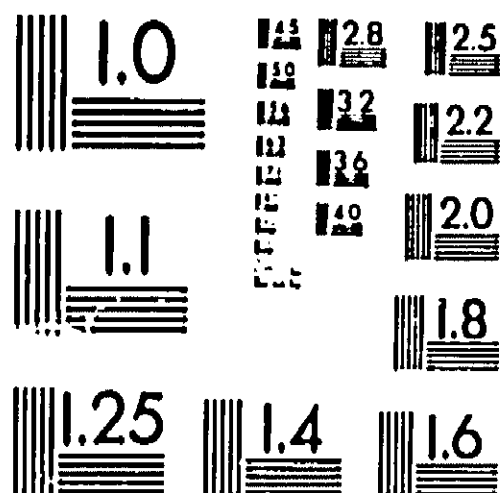


# IMAGE EVALUATION TEST TARGET (MT-3)



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UNITED STATES

GENERAL

ACCOUNTING

OFFICE

*118578*

**DECISION**



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

B-207348, B-207372, B-207649,  
FILE: B-207509, B-207555, DATE: June 4, 1982  
B-207616, B-207617  
MATTER OF: Worthington Group, McGraw-Edison Company

**DIGEST:**

Protest that agency should limit procurement to protester as original equipment manufacturer does not state a basis for protest which is reviewable by GAO because the effect of including other firms in the procurement is consistent with the statutory requirement to broaden competition.

The Worthington Group, McGraw-Edison Company protests decisions of the Defense Industrial Supply Center (DISC) to competitively procure parts requirements under Requests for Proposals (RFPs) DLA500-82-R-1007, DLA500-82-R-1123, 82102001612, 82113002605, DLA700-82-R-2710, DLA 700-82-R-2722 and DLA-700-82-R-2733. According to the protester, these procurements should be restricted to it, as the original equipment manufacturer, because each involves the procurement of complex parts of a critical nature. The protester contends that allowing competition will result in an unacceptable failure rate and will not satisfy the Government's operational needs. We dismiss the protests.

The possibility that the parts may not work is primarily a matter of practical concern to Government program personnel who will suffer any consequences which result if they prove to be unsatisfactory. It is not a matter of legal concern, because the effect of including other firms in the procurement is consistent with the statutory requirements to broaden competition. See Edcliff Instruments, B-205371, April 26, 1982, 82-1 CPD 380. Absent evidence of fraud or willful misconduct, such a contention does not raise an issue which is reviewable under our bid protest function. See Miltope Corporation -- Reconsideration, B-188342, June 9, 1977, 77-1 CPD 417, aff'd Miltope Corporation -- Reconsideration (Second), B-188342, July 1, 1977, 77-2 CPD 3.

B-207348, B-207372, B-207509, B-207649  
B-207555, B-207616, B-207617

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Worthington does not allege that the action being taken is the result of fraud or willful misconduct by Government officials. The protests are dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

**BILANIK**

**PAGIE**

**LEND**