

DECISION

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

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FILE: B-217188

DATE: May 3, 1985

MATTER OF: ASC Pacific Inc.

DIGEST:

Protest that specification for roofing panels is unduly restrictive where the RFP requires panels manufactured by only one company is denied where the agency's determination of its minimum needs has not been shown to be unreasonable.

ASC Pacific Inc. (ASC) protests the specifications for roofing contained in request for proposals (RFP) No. N62474-83-R-2569 for the procurement of 405 family housing units to be located at the Naval Air Station at Adak, Alaska. ASC contends that the specification requirement that only one product, "Zip-Rib," is acceptable for the roofing for the housing units is unduly restrictive. ASC alleges that the performance of the "Klip-Rib" product which it manufactures is equal to or better than Zip-Rib, and its use, therefore, should be permitted by the RFP's specifications.

The protest is denied.

The RFP, issued by the Western Division, Naval Facilities Engineering Command, provides for the design, construction, and inspection of 405 family housing units at the Naval Air Station on Adak Island, Alaska. Paragraph 2D.1 of the RFP provides that the roofing system of these units shall be minimum 0.040-inch-thick aluminum roofing manufactured by Zip-Rib, Inc.

This is the second occasion on which we have considered the propriety of the Navy's requirement that Zip-Rib be used exclusively for roofing on Adak Island. In Steenmeyer Corporation; ASC Pacific, Inc., B-212926, B-212926.2, Apr. 2, 1984, 84-1 C.P.D. ¶ 369, we upheld the Navy's requirement that only Zip-Rib roofing panels be used for roofing on construction and repair projects on Adak Island because we were not in a position, on the record then before us, to question the Navy's technical justification for that restriction. The restriction was based primarily on the remote location of Adak Island and the extreme weather conditions which are common there. As set

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forth in our earlier decision, in a 1981 memorandum requesting approval for the exclusive use of Zip-Rib, the procuring office pointed out that Adak, a remote island located at the end of the Aleutian Island chain, has severe weather conditions with a temperature range from 0 to 70 degrees with peak winds in excess of 120 miles per hour. Also, annual rainfall is about 70 inches occurring in all months and snowfall in amounts of about 20 inches per month occurs from October to May. The procuring activity advised that "the high precipitation coupled with extreme winds . . . are the prime factors in recent roof failures at Adak." On the basis of that record, we rejected ASC's contention that its Klip-Rib roofing panel--constructed of steel substrate with a protective coating of a zinc-aluminum alloy (known as Zincolume or Galvalume)--is equally capable as Zip-Rib in meeting the Navy's performance criteria for roofing on Adak Island.

In response to ASC's current protest, the Navy advises that its reasons for using Zip-Rib aluminum roofing panels in 1981 in response to the problem of corrosion remain valid. The Navy states that the advantage of aluminum over steel roofing panels was pointed out in the procuring activity's 1981 memorandum, which provided in pertinent part as follows:

"a. Aluminum is subject to oxidation, as is steel. However, the oxidized surface of aluminum serves to protect the metal beneath therefore providing a protective coating. In contrast, the rusting process of steel deteriorates the structural integrity of the metal itself. In addition, this rusting can cause stains and discoloration on other building surfaces.

"b. Aluminum has greater resistance to corrosive marine environments such as are found at Adak. Salt content in the moist air at Adak accelerates deterioration of steel surfaces. Some manufacturers attempt to prevent this problem by coating steel surfaces with an aluminum alloy. The protective zinc coating of galvanized steel is lost when the material is bent sharply, scratched, or punctured for fasteners. This is unsatisfactory since the coating is often damaged in construction, or

when later modifications are made to the roof. The bare steel is then exposed to the weather and quickly deteriorates."

As set forth in our earlier decision, the Navy has advised that ASC Klip-Rib roofing panels which had been installed on a water treatment plant on Adak Island had not performed satisfactorily in that the roof showed signs of corrosion where the steel had been exposed. Furthermore, the agency now points out that the current limited warranty for Klip-Rib expressly excludes "damage due to saltwater marine atmosphere" which is defined as installation closer than 1,500 feet from saltwater: the site for the housing project under consideration lies within 1,500 feet of the ocean. In contrast, the Navy states that it does not accept warranty exclusions for the Zip-Rib product.

Here, as in its prior protest, ASC states that the Klip-Rib panels will perform in a manner equal to the Zip-Rib panels. ASC asserts that Klip-Rib panels have impressive corrosion resistance with the Zincolume coating and have even greater corrosion resistance with additional paint finishes such as Silicone Modified Polyester. The protester advises that the information available to it regarding the roofing on the water treatment plant at Adak Island is that "the corrosion is not a result of Klip-Rib but other adjacent materials on that site." We do not regard this vague and unsupported assertion by ASC as sufficient evidence to rebut the Navy's statement that such roofing shows signs of corrosion. Although ASC concedes that its warranty excludes damage due to saltwater marine atmosphere, it contends that it is not unusual for sheeting manufacturers to request a site inspection sheet to allow changes to the basic warranty and that it would offer a similar approach for the construction at Adak. We do not believe that the standard exclusion in the Klip-Rib warranty for damage resulting from saltwater marine atmosphere is consistent with ASC's view that Klip-Rib will perform equally with Zip-Rib under the harsh weather conditions and saltwater marine atmosphere at Adak Island.

ASC has presented documentation which it states shows that the Klip-Rib panels with Zincolume (also known as Galvalume) have outstanding corrosion resistance in marine environments. This documentation, which consists primarily of several technical articles on the corrosion resistance of Zincolume, states that Zincolume generally has an expected life of two to four times that of galvanized

steel. ASC also cites tests which show that Zincalume had no rust occurrence after 4 years in a marine location. Furthermore, ASC states that cut edge protection and saltwater testing of Zincalume have demonstrated excellent results. An examination of the technical material cited by ASC shows that the researchers observed that Zincalume has superior galvanic protection at cut edges when compared to aluminum-coated and G-90 galvanized sheets. Also, tests show that Zincalume "shows excellent corrosive resistance in salt fog" with the time to the first appearance of real rust being five to 10 times longer for Zincalume than for traditionally galvanized steel. In addition, ASC points out that Zincalume may be coated with silicone polyester or polyvinyl fluoride which tests show provides excellent resistance to salt spray.

While the literature submitted by ASC shows that Zincalume has more corrosion resistance than either galvanized or aluminum-coated steel, none of the technical information presented compares Zincalume's corrosion resistance with that of aluminum panels. There is nothing in the record before us which would establish that Zincalume is equal to aluminum in resistance to corrosion, especially under the severe weather conditions and marine atmosphere present on Adak Island.

As set forth above, the Navy has determined that ASC's Klip-Rib roofing panels are not an acceptable substitute for Zip-Rib with regard to resistance to corrosion, a determination which we upheld in our 1984 decision.

The determination of the government's minimum needs, the methods of accommodating them and the technical judgments upon which those determinations are based are primarily the responsibility of the contracting officials who are most familiar with the conditions under which the supplies and services are to be used. Tyco, B-199632, Mar. 24, 1981, 81-1 C.P.D. ¶ 220. Accordingly, we will not upset an agency's decision as to the best method of accommodating its minimum needs absent clear evidence that the decision was arbitrary or unreasonable. We will uphold an agency's rationally based decision to procure on a brand name basis unless the protester shows that the decision is clearly unreasonable. Wang Laboratories, Inc., B-215589, Sept. 17, 1984, 84-2 C.P.D. ¶ 300. In our decision of April 2, 1984, we held that the Navy had a reasonable basis

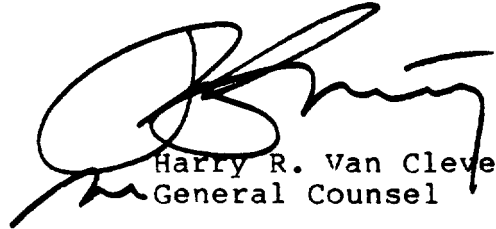
for its requirement for Zip-Rib roofing panels. In assessing the reasonableness of the agency's specifications, we give the agency's technical conclusions considerable weight unless they are shown to be arbitrary. See U.S. PolyCon Corp., B-214791, Oct. 16, 1984, 84-2 C.P.D. ¶ 412. We have consistently held that in technical disputes, a protester's disagreement with the agency's opinion, even where the protester's position is supported by expert technical advice, does not invalidate the agency's opinion. Polymembrane Systems Incorporated-Reconsideration, B-213060.2, July 23, 1984, 84-2 C.P.D. ¶ 81.

Much of the record in this case is a repetition of what was presented in connection with ASC's prior protest. Even the additional information presented by ASC, however, does not establish as arbitrary the Navy's determination that Zip-Rib aluminum roofing panels were needed for adequate corrosion resistance on roofing on Adak Island. We therefore cannot conclude that the Navy's exclusion of ASC's Klip-Rib roofing panels was improper.

We note that the Navy has also indicated that ASC's Klip-Rib is not satisfactory for roofing on Adak Island because of uncertainties concerning the ability of Klip-Rib to withstand wind uplift on Adak where winds often reach 125 miles per hour. ASC disputes this point and asserts that Klip-Rib is fully capable of withstanding the wind forces on Adak Island. It is not necessary for us to resolve this issue since we have determined that the Navy's use of Zip-Rib as opposed to Klip-Rib is justified on the grounds of the superior corrosion resistant properties of aluminum. We further note that ASC has questioned the ability of Zip-Rib to withstand wind uplift and has advised that Zip-Rib had recently been peeled off a school in Washington State by high velocity winds. In view of the Navy's successful use of Zip-Rib at Adak without any apparent failures due to high winds, we do not view the incident mentioned by ASC as sufficient to cast doubt on the integrity of Zip-Rib as used on Adak.

Finally, we point out that in our prior decision, we recommended that the Navy investigate the possibility and the feasibility of qualifying additional products for future procurements of roofing systems. We made this recommendation on the basis that the Navy's technical justification for Zip-Rib roofing panels compiled in 1981 contained an admission that it was possible that some other systems might be acceptable if the Navy had firm assurances

against the possibility of failure. In view of the limited construction season on Adak, the Navy proceeded with award under this solicitation notwithstanding ASC's protest. The Navy's recently completed study of other roofing systems, however, indicates that there is another manufacturer, Architectural Panels, Inc., which may offer a roofing system which has the required characteristics for use on Adak. A field test of this alternate roofing system will be conducted on the next suitable construction project on Adak.



Harry R. Van Cleve
General Counsel