



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Ingersoll-Rand Company
File: B-225052
Date: January 27, 1987

DIGEST

Protest raising same issues as those resolved in a recent decision on a protest by the same protester and involving the same agency and awardee is dismissed as no useful purpose would be served by further consideration of the protest.

DECISION

Ingersoll-Rand Company protests a contract award to Compressor Engineering Corporation (CECO) by the Defense Logistics Agency (DLA) under request for quotations (RFQ) No. DLA700-86-Q-E556. This RFQ requested prices for a quantity of channel and spring sets to be used on oil free compressors for which Rand was the original manufacturer. CECO's items were found to be acceptable after some 500 hours of testing. Rand contends that it was improper for DLA to test these critical items from CECO for only 500 hours when Rand had been required previously to conduct 2,000 hours of acceptance testing for the compressor parts at its own expense. Rand further contends that the contracting officer acted improperly in disregarding the testing costs that it argues should have been added to the prices offered by CECO.

The protest is dismissed.

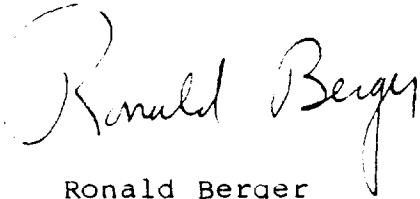
The two issues raised here are identical to two of those resolved in our decision in Ingersoll-Rand Co., B-224706, et al., Dec. 22, 1986, 86-2 CPD ¶ _____. In that decision, we denied Rand's contention that the product tests it was required to conduct in earlier procurements should have been required of all offerors on the two solicitations in question, because no such testing requirements had been included in the solicitations and because proposals must be evaluated only on the basis of factors specified in the solicitations. For this same reason, we rejected Rand's argument that DLA should have added the agency's costs of testing the products to CECO's prices. Moreover, we pointed out that as the objective of our bid protest function is to insure full and

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open competition for government contracts, a protester's presumable interest as the beneficiary of a more restrictive specification generally is not protectable under our bid protest function.

Since the issues raised by Rand in this protest are the same as the issues that were resolved in our decision of December 22, we see no useful purpose to be served by our further consideration of the protest. Canon U.S.A., Inc., B-213554, Aug. 20, 1984, 84-2 CPD ¶ 195 at 7.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in dark ink and is positioned above the printed name and title.

Ronald Berger
Deputy Associate
General Counsel