



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Discount Machinery & Equipment, Inc.

File: B-230567

Date: May 2, 1988

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### DIGEST

Where request for proposals requires offerors to furnish sufficient technical literature to establish that equipment is a current production model, agency properly rejected proposal which failed to contain adequate descriptive literature and stated only that offered equipment was accepted in prior procurement.

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### DECISION

Discount Machinery & Equipment, Inc. protests the Department of the Navy's award of a firm-fixed-price contract to Natco, Inc. under request for proposals (RFP) No. N00600-87-R-5659. Discount's lower priced proposal was rejected as technically unacceptable based on inadequate technical literature. Discount challenges this determination.

We deny the protest.

The Naval Regional Contracting Center, Washington, D.C., issued this RFP on September 24, 1987, to acquire a radial drilling machine for the Naval Sea Systems Command's Plant Equipment Support Office. The RFP stipulated that the equipment had to be in current production and required offerors to submit manufacturer's published brochures, drawings, and technical manuals to demonstrate compliance with the current production requirement. Award was to be made to the lowest priced acceptable offeror.

Seven proposals were received by the closing date of October 26. The Navy found six of these initial proposals to be technically unacceptable but capable of being made acceptable.<sup>1/</sup> By letter of December 16, the Navy informed Discount that its proposal did not meet the "current production model" requirement in the RFP because of its apparent proposal to interchange two drills, the Nardini

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<sup>1/</sup> Natco's initial proposal was found to be technically acceptable.

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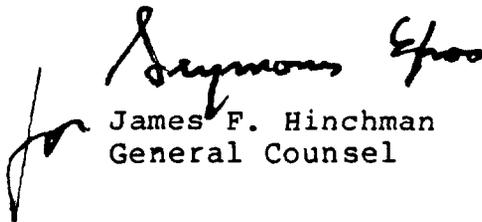
FRN 50-1250 and the FRN 60, and because Discount did not submit a published brochure showing that such a configuration of two drills was possible. The letter also requested a best and final offer (BAFO) by January 8, 1988. Discount responded to the Navy on December 21 with a letter which stated "that all specifications of the FRN 50-1250 will stay in their original condition; the only variation is that we are using an FRN 60 base. . . . We have already supplied one of these machines to the [Navy]." Discount also identified the specific purchase. However, the technical evaluation panel considered Discount's BAFO unacceptable because it did not contain the required manufacturer's published brochures, drawings, and technical manuals which would clearly establish the proposed equipment as a current production model; specifically that the model FRN 50-1250 drill permitted the use of an FRN 60 base.

The Navy awarded the contract to Natco, Inc. on February 17, in the amount of \$31,045, about \$13,000 more than Discount's offer. This protest followed on February 29.

Discount does not deny that it failed to comply with the RFP descriptive literature requirements. Specifically, Discount does not dispute that its descriptive literature was insufficient to establish that its proposed equipment was a current production model. Rather, Discount argues that its equipment should have been accepted solely because the firm, as it indicated in its BAFO, recently furnished the identically configured machine to the Navy under another solicitation. We find no merit in Discount's contention.

The Navy advises that the previous solicitation relied on by the protester did not require that the drill be a current production model. Moreover, the fact that Discount's product may have been found acceptable in other procurements does not excuse a failure to satisfy the requirements in this RFP since each procurement stands alone in this regard. Discount Machinery & Equipment, Inc., B-223547, Aug. 29, 1986, 86-2 CPD ¶ 242; United Food Services, Inc., B-220367, Feb. 20, 1986, 86-1 CPD ¶ 177. Here, since it is clear that Discount's offer did not meet RFP requirements, its proposal properly was rejected.

The protest is denied.

  
James F. Hinchman  
General Counsel