

Burford
143861



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: United International Investigative Services

File: B-243720

Date: May 6, 1991

William J. Guidice for the protester,
Karen Hammond, for "K" Services, and Joel R. Feidelman, for
Fried, Frank, Harris, Shriver & Jacobson, interested parties.

DIGEST

Protester's allegation that bid which failed to include proof of possession of a specific permit, as required under invitation for bids, was nonresponsive is without merit since the requirement pertained to responsibility and therefore could be satisfied at any time prior to award.

DECISION

United International Investigative Services protests the award of a contract to "K" Services, under invitations for bids (IFB) No. N62474-91-B-9509, issued by the Department of the Navy for Security Guard Services for the Long Beach Naval Shipyard, Long Beach, California.

We dismiss the protest.

The IFB required the contractor to be licensed by the Department of Consumer Affairs as a Private Patrol Operator. The IFB further provided that evidence of permits or licenses required to perform the services should be provided to the contracting officer within 15 days after notice of award. United's allegation that "K" Services should be found nonresponsive and ineligible for consideration because they did not possess the specific permit at time of bid opening, is without merit.

As a general matter, a solicitation provision like the one here, requiring a prospective contractor to obtain a specific license or permit, involves the issue of the firm's responsibility rather than the responsiveness of the bidder, since it relates to the ability of the successful bidder to perform.

Northcoast Redwood Tours, B-231770, July 6, 1988, 88-2 CPD ¶ 14. A requirement that relates to responsibility, moreover, may be satisfied at any time prior to award, Norfolk Dredging Co., B-229572.2, Jan. 22, 1988, 88-1 CPD ¶ 62. Therefore, whether or not "K" Services possessed a license at time of bid opening has no bearing on the responsiveness of bid. "K" Services only had to submit the requested information within 15 days of notice of award.

The protest is dismissed.



Michael R. Golden
Assistant General Counsel