

McArthur
144207



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Technology Scientific Services, Inc.

File: B-245039; B-245040; B-245041; B-245042; B-245043

Date: September 9, 1991

Robert C. DeLong for the protester.
Sandra G. Zimmerle, Esq., Department of the Air Force, for the agency.
C. Douglas McArthur, Esq., and Andrew T. Pogany, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest by incumbent contractor asserting that agency should require each offeror to demonstrate, in its proposal, that it has firm employment commitments from the personnel necessary for performance is dismissed as outside of the General Accounting Office's role in reviewing bid protests, which is to ensure that the statutory requirements for full and open competition are met, not to protect any interest a protester may have in more restrictive specifications.

DECISION

Technology Scientific Services, Inc. (TSS) protests the terms of five requests for proposals (RFP), Nos. F33601-91-R-9085, F33601-91-R-9086, F33601-91-R-9087, F33601-91-R-9088, and F33601-91-R-9089, issued by the Air Force for support services. The protester argues that the solicitations improperly allow offerors other than the protester to misstate the availability of personnel, by not requiring those offerors to provide proof that employees proposed have entered into written agreements to accept employment.

We dismiss the protest because we will not consider claims that specifications should be more, not less, restrictive.

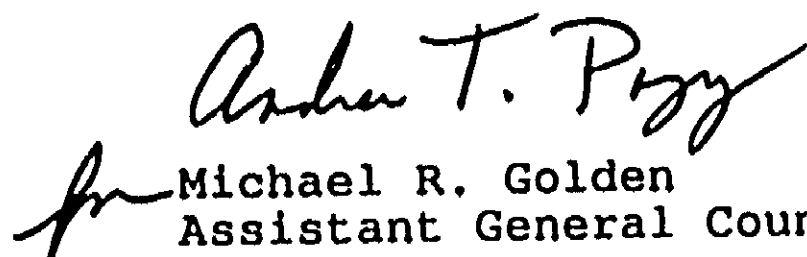
The protester essentially argues that the agency is not properly protected if it does not require offerors to provide firm commitments of employment with their proposals; specifically, the protester contends that it is improper for the solicitation to allow other offerors to propose hiring TSS personnel, when the protester will not allow its personnel to

B-245039 et al.

accept employment with a successor contractor. The protester argues that the government will therefore have to accept performance of lesser quality than represented in proposals. Essentially, the protester wants all offerors to provide employment commitments with their proposals because it is the only offeror that can do so.

We generally will not consider contentions that specifications should be made more restrictive since our role in reviewing bid protests is to ensure that the statutory requirements for full and open competition are met, not to protect any interest a protester may have in more restrictive specifications. Petchem Inc., B-228093, Sept. 8, 1987, 87-2 CPD ¶ 228. The agency has determined that employee commitments are not necessary to insure satisfactory performance, and our Office has no basis to require more stringent terms.

The protest is dismissed.


Michael R. Golden
Assistant General Counsel