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

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B-177081(2)

JAN 9 1973

Dear Mr. Secretary:

Enclosed is a copy of our decision of today, denying the protest of Jess Howard Electric Company under IFB No. DACA31-72-B-0102, issued by the Corps of Engineers, Baltimore, Maryland.

While we denied the protest, it should be noted that the IFB did not contain the "Local Affirmative Action Plan" clause to which the attention of bidders was called in the invitation. Also, the IFB did not indicate where a copy of the "Dayton Plan" for minority hiring could be obtained, as seems to be required by ASPR 1-1203.1. Although we concluded that the protest against the omission of this information was untimely, we recommend that action be taken to make sure that information of this nature is contained in future procurements.

The protest was the subject of a report (DAEN-GCN) dated October 30, 1972, from the General Counsel, Corps of Engineers. The file forwarded with that report is returned.

Sincerely yours,

R.F. KELLER

Deputy Comptroller General
of the United States

Enclosures - 2

The Honorable
The Secretary of the Army

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