



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-233566

November 18, 1988

Hallmark Packaging Products, Inc.
1212 North 39th Street, Suite 216
P.O. Box 5688
Tampa, Florida 33675-5688

Attn: Vincent A. Tifer
Vice President and General Manager

Gentlemen:

This refers to your letter dated November 11, 1988, protesting the terms of request for proposals (RFP) No. 2FYS-BN-89-0005-N issued by the General Services Administration (GSA) for plastic bags to be manufactured in accordance with commercial item description (CID) A-A-1668C.

You argue that the RFP's requirement that the bags comply with CID A-A-1668C is unduly restrictive of competition and exceeds GSA's minimum needs. As a producer of another type of high density plastic bag, in conformance with CID A-A-2299A, you contend that your product has been unfairly excluded from the competition and can perform as well as those called for in the RFP at a lower cost to the government.

As you are aware, in our decision B-232218, dated October 25, issued in response to a similar protest from your firm involving an earlier GSA procurement of plastic bags, we ruled that the exclusion of CID A-A-2299A was not unduly restrictive of competition and did not exceed GSA's minimum needs. Since your current protest raises the same issues which were resolved in our recent decision, we dismiss this protest without obtaining a report from the agency, since it is clear that the protest is without legal merit. 4 C.F.R. § 21.3(m) (1988).



Robert M. Strong
Associate General Counsel