



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Huntington Valley Industries

File: B-272321

Date: September 27, 1996

Sam Z. Gdanski, Esq., for the protester.

Robert L. Mercadante, Esq., Defense Logistics Agency, for the agency.

Peter A. Iannicelli, Esq., and John Van Schaik, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

In a small purchase acquisition conducted under simplified acquisition procedures, the contracting officer properly rejected the protester's quotation as technically unacceptable where the quotation lacked the most rudimentary technical information required by the request for quotations.

DECISION

Huntington Valley Industries protests that the Defense Industrial Supply Center (DISC) improperly rejected the quotation it submitted in response to request for quotations (RFQ) No. SPO500-96-T-Y807 for close tolerance screws.

We deny the protest.

The procurement was conducted under simplified acquisition procedures authorized by the Federal Acquisition Streamlining Act of 1994 (FASA), 10 U.S.C. § 2304(g) (1994), as implemented in part 13 of the Federal Acquisition Regulation (FAR). The RFQ was issued by DISC under "automated" procedures using the DISC electronic bulletin board to solicit and receive quotations. Firms desiring access to the electronic bulletin board to review the RFQs and submit quotations are required to enter into small purchase agreements with DISC. The agreements set forth terms, conditions, provisions and clauses which are applicable to RFQs and purchase orders issued by DISC for small purchases, including those solicited and awarded electronically.¹ DISC and Huntington have entered into such an agreement.

¹For further discussion of how DISC conducts simplified acquisition procedures using its electronic bulletin board, see Arcy Mfg. Co., Inc.; et al., B-261538 et al., Aug. 14, 1995, 95-2 CPD ¶ 283.

Posted on the DISC electronic bulletin board on April 30, 1996, the RFQ stated that the agency required 33 close tolerance screws, that the screws were considered a critical item with a short delivery date, and requested quotations no later than May 15. The RFQ described the screws as Lockheed part number C9535-6-29 and listed several other manufacturing firms (and their respective part numbers) that were acceptable. Huntington's quotation was the second lowest-priced of the eight quotations received by DISC. The three lowest-priced quotations, including Huntington's, were all rejected as technically unacceptable because they did not contain required information concerning the screws that each quoter intended to supply. The fourth lowest-priced quotation, submitted by WESCO Aircraft Hardware Corporation, was determined to be technically acceptable and on June 14 the contracting officer issued a purchase order to WESCO at a total price of \$2,376.

Huntington protests that the contracting officer improperly rejected its quotation. The protester states that DISC unfairly required only Huntington to submit with its quotation original documentation (i.e., no copies) from one of the manufacturers listed in the RFQ as an acceptable source showing that the screws to be supplied by Huntington would be manufactured by that acceptable source. The protester believes that DISC improperly rejected its quotation solely because it did not include original documentation from an acceptable source.

At the outset, we point out that because this purchase did not exceed the micro-purchase threshold of \$2,500, DISC could have acquired the screws without obtaining competitive quotations under FASA, § 4301, 41 U.S.C. § 428(d), which states: "A purchase not greater than \$2,500 may be made without obtaining competitive quotations, if the contracting officer determines that the price for the purchase is reasonable." Moreover, where, as here, simplified acquisition procedures are used, contracting agencies may properly use innovative approaches so as to award contracts in the manner that is most suitable, efficient and economical in the circumstances of each acquisition. See FAR §§ 13.103 and 13.104; Bosco Contracting, Inc., B-270366, Mar. 4, 1996, 96-1 CPD ¶ 140. Our Office reviews allegations of improper agency actions in conducting simplified acquisitions to ensure that the procurements are conducted consistent with the concern for fair and equitable competition that is inherent in any federal procurement. See General Metals, Inc., 72 Comp. Gen. 54 (1992), 92-2 CPD ¶ 319.

The RFQ and the DISC small purchase agreement specifically required quotations to include certain technical information. The RFQ's product item description listed acceptable sources by name and their products by part number, and the RFQ stated that source inspection/approval would be required of offerors other than acceptable sources. The RFQ also specifically required that quotations include the drawing revisions/dates to which the screws would be manufactured. In this connection, the small purchase agreement between DISC and participating firms required quotations to include the manufacturer's name and part number, the name and location of the

manufacturing facility, as well as documentation showing that the product offered would be supplied by a listed acceptable source.

Huntington's quotation merely included a price and stated the original equipment manufacturer's part number (i.e., Lockheed Aeronautical Corporation's part) followed by the initials "SPS" (apparently referring to SPS Technologies). The agency reports that SPS Technologies has two manufacturing facilities, only one of which was listed in the RFQ as an acceptable source. Huntington's quotation did not indicate, as required, which manufacturing facility would supply the screws or even identify the screws to be supplied by manufacturer's part number. Thus, it was unclear from Huntington's quotation whether Huntington was planning to provide screws made by the original equipment manufacturer (Lockheed) or by SPS Technologies. Moreover, if Huntington was quoting on screws made by SPS Technologies, it was not clear whether the screws would be manufactured at the facility that was considered acceptable or at the other facility which would require inspection and approval by the agency. Furthermore, Huntington's quotation did not state, as required, what drawing revisions would be used in manufacturing the screws. Finally, Huntington's quotation did not include the required documentation showing that the screws would be supplied by an acceptable source.

Because Huntington's quotation lacked the most rudimentary required technical information, DISC could not determine from the quotation what screws Huntington intended to supply or whether the screws would be manufactured by an acceptable source at an approved facility. Thus, the agency reasonably determined the quotation to be technically unacceptable based upon the several deficiencies described above.²

The protest is denied.

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²In view of our finding that the agency reasonably determined the quotation to be technically unacceptable, and because Huntington's quotation included no documentation at all regarding the source from which it intended to obtain the screws, we need not address Huntington's argument that DISC unfairly requires it alone to provide original documentation from the manufacturers.