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DECISION

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

FILE: B-202010

DATE: July 31, 1981

MATTER OF: SAFE Export Corporation

DIGEST:

Protest that award of contract to foreign firm for maintenance and repair service of intrusion detection was improper is denied as RFQ contained no restriction against award to foreign firm.

SAFE Export Corporation protests the award of a contract for the maintenance and repair of the intrusion detection system at Hepburg, West Germany by the U.S. Army Contracting Agency, Europe (USACAE) to Taylor Elektroinstallations GmbH under request for quotations DAJA10-81-Q-0021. SAFE alleges that the contract can only be performed by an American company due to the confidential security classification of documents and Taylor as a foreign company is not eligible for confidential security clearance.

SAFE bases its allegation on a standard specification published by the U.S. Army Corps of Engineers, European Division, which requires that all documents depicting intrusion detection systems be classified confidential and that only personnel with security clearance have access to these documents. These specifications, however, were not incorporated in the RFQ nor was there any other requirement in the RFQ that the work be performed by personnel possessing security clearances. We have no basis to object to the agency's determination that it did not need cleared personnel to perform these services. Therefore, the award to Taylor was proper.

The protest is denied.

Milton J. Fowler

Acting Comptroller General
of the United States

[Protest of Contract Award to Foreign Firm]

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