

Murphy

**DECISION**



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

**FILE:** B-219749                      **DATE:** October 11, 1985  
**MATTER OF:** Pacific Sky Supply, Incorporated

**DIGEST:**

1. Agency's rejection of a proposal to provide an aircraft part assembled from components purchased from the same source used by a previous supplier is not unreasonable where the protester has not provided evidence that its proposal can be evaluated without the final assembly drawing used by the previous supplier.
2. Agency's determination that it is unable to evaluate an offer because of insufficient technical information need not be referred to the Small Business Administration since, in rejecting the offer, the agency has not reached the question of the offeror's responsibility.

Pacific Sky Supply, Incorporated protests the Department of the Air Force's issuance of purchase order No. N00383-85-G-5107-RJ38 to Hamilton Standard Division of United Technologies for certain spare parts for the C-130 aircraft. The order, placed on June 29, 1985 under a basic ordering agreement with Hamilton Standard, included 68 base assemblies that provide support for electronic propeller control equipment. Pacific Sky contends that it could supply the base assemblies at prices lower than those of Hamilton Standard.

We deny the protest.

On March 8, 1985, the Air Logistics Center at Robins Air Force Base, Georgia, announced in the Commerce Business Daily its intent to purchase 68 base assemblies. The announcement stated that all offerors must (1) have previously produced the item for the government or the prime equipment manufacturer, or (2) submit complete and current engineering data for the item, including manufacturing control drawings, qualification test reports,

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and quality assurance procedures, as may be required for the Air Force to determine the acceptability of the assemblies.

Pacific Sky submitted a proposal to supply the items, stating that it would purchase all parts of the assemblies from firms that had supplied Hamilton Standard, the previous producer of the assemblies. Pacific Sky stated that it would assemble the parts in accord with Hamilton Standard's illustrated parts catalog for the item. The catalog, which Pacific Sky included in its proposal, lists the number assigned to each part of the base assembly and the vendors from which Hamilton Standard has obtained the parts. It also contains a drawing showing how the parts are properly assembled.

On July 1, 1985, the contracting officer informed Pacific Sky that the firm's offer contained insufficient detail, including dimensions, material, and finish, for manufacture of the parts. She stated that the government does not possess this information and that, as a result, Pacific Sky's offer was rejected. Following receipt of this notification, Pacific Sky protested to our Office, contending that since it was only going to assemble components manufactured by Hamilton Standard's suppliers in accord with Hamilton Standard's own drawing, a requirement for further technical data was not reasonable.

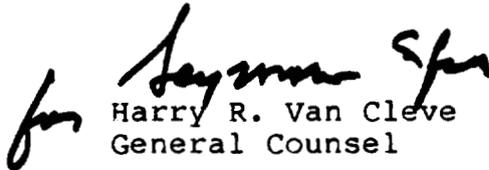
In its report on the protest, the Air Force raised its primary concern--the fact that only Hamilton Standard possesses the drawing needed for the final assembly and alignment of the base assembly. The base assembly provides support for a synchrophaser, which automatically controls propeller speed by varying the pitch and angle between the four propellers. Pins on the synchrophaser plug into two receptacles in the base assembly. According to the Air Force, to ensure that the pins do not break and disable the synchrophaser, the receptacles and the synchrophaser must be aligned exactly.

Pacific Sky stated in its proposal that it would use an FAA certified synchrophaser to make sure that the receptacles are properly located. The agency believes that this procedure is insufficient to establish that all Air Force synchrophasers will align exactly with receptacles in the base assemblies. Without Hamilton Standard's final assembly drawing, the Air Force believes that it cannot properly evaluate Pacific Sky's product.

In its response to the Air Force report, Pacific Sky does not address this concern. Instead, the protester claims that the Air Force has questioned its ability to produce the base assembly, and that this is an issue of responsibility. Since it is a small business, Pacific Sky contends that the matter should be referred to the Small Business Administration under the certificate of competency program. However, the technical acceptability of Pacific Sky's proposal is at issue here, and this is not a question of responsibility that must be referred to SBA. See Pacific Sky Supply, Inc., 64 Comp. Gen 194 (1985), 85-1 CPD ¶ 53.

Pacific Sky also argues that according to Hamilton Standard's representation to the protester, the base assembly may be assembled from vendor parts listed on page 6-15 of Hamilton Standard's illustrated parts catalog. While this may be true, it does not respond to the Air Force's contention that without the final assembly drawing it cannot determine whether the receptacles are located so they are properly aligned with the synchrophaser pins. Accordingly, we cannot hold that the Air Force's rejection of Pacific Sky's proposal as technically unacceptable was unreasonable.

We deny the protest.

  
for Harry R. Van Cleve  
General Counsel