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DECISION



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

FILE: B-220450 **DATE:** December 13, 1985
MATTER OF: Affiliated Van Lines, Inc.

DIGEST:

Contracting officers are not required to question the validity of a required license or permit that is submitted by a bidder before award and that is valid on its face in the absence of some appropriate indication that the license may not be valid.

Affiliated Van Lines, Inc. protests the award of a contract to Victory Van and Storage, Inc. for moving and storage services under invitation for bids (IFB) No. DABT39-85-B-0183, issued by the Department of the Army, Fort Sill, Oklahoma. Affiliated contends that award to Victory was improper because Victory does not hold a valid operating permit from the Interstate Commerce Commission (ICC) to provide the services, as required by the solicitation.

We dismiss the protest.

The solicitation specifically required each bidder to have a valid ICC certificate of operating authority to engage in transportation services as a common carrier by motor vehicle. Victory represented in its bid that it possessed a valid certificate of operating authority from the ICC (certificate No. MC-15143). Moreover, Victory submitted this certificate to the contracting officer. The certificate, on its face, was valid and current in all respects. The contracting officer therefore determined Victory to be responsible and awarded the contract to that firm.

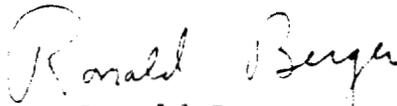
Affiliated nevertheless questions the validity of Victory's operating certificate. Specifically, Affiliated states that Victory does not hold a current valid permit because: 1) the permit was originally issued to a separate and distinct corporation, Family Moving and Storage Company, Inc., that has been suspended in the State of Oklahoma and that has no operating authority within that state; and 2) Family has never properly transferred its ICC operating authority to Victory and has no legal authority to effect any such transfer because of its suspension.

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The protester has also submitted certain public documents to our Office that were previously reviewed by the contracting officer. These documents show that: 1) the Corporation Commission of the State of Oklahoma, on September 10, 1982, approved a change of name application from Family and changed its records to reflect the name of Victory on the State of Oklahoma motor carrier operating certificate previously issued to Family on January 15, 1969; and 2) the ICC issued a similar order, dated April 24, 1985, to reflect a name change from Family to Victory on the certificate of public convenience and necessity previously issued to Family on May 10, 1982.

The thrust of Affiliated's protest is that the contracting officer should not have accepted Victory's ICC certification because, the protester asserts, the authority originally issued to Family Moving and Storage could not properly have been transferred to anyone. As noted above, however, the ICC certificate submitted to the contracting officer was valid on its face, and contracting officers are not required to go beyond such a certification in the absence of some appropriate indication that the certification is not valid. See generally New Haven Ambulance Service, Inc., 57 Comp. Gen. 361 (1978), 78-1 CPD ¶ 225. The protester does not suggest that the contracting officer, prior to award, had any valid basis to question the validity of Victory's certification.

Accordingly, we believe that Affiliated has failed to state a valid basis for protest; therefore, we are dismissing its protest without requesting a report from the agency. See 4 C.F.R. § 21.3(f) (1985).


Ronald Berger
Deputy Associate
General Counsel