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**DECISION**



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

D. M. ...

**FILE:** 3-190773

**DATE:** April 17, 1978

**MATTER OF:** Ronald Campbell Company

**DIGEST:**

Bid of Canadian firm properly found nonresponsive where required endorsement of Canadian Commercial Corporation not furnished with bid.

Ronald Campbell Company (Campbell) protests the award of requirements contract M00027-78-D-0026 by the United States Marine Corps (USMC) to Southwest Business Publications Co. for magazine subscription services to be furnished to USMC activities from November 18, 1977, through March 31, 1979. The invitation for bids (IFB), M00027-77-B-0046, was issued on August 25, 1977. Bids were opened on September 23, 1977, and Campbell was the low bidder on certain items. However, for the IFB as a whole, it was the third low bidder. The IFB stated that a split award would be considered if the Government's best interest would thereby be served, but that a single award was contemplated.

On November 22, 1977, Campbell was informed by USMC that its bid was nonresponsive because as a Canadian firm, it failed to furnish the endorsement of the Canadian Commercial Corporation (CCC) required by Armed Services Procurement Regulation (ASPR) § 6-504.1(b)(1) (1976 ed.).

Campbell argues that it was not required to furnish the endorsement because ASPR § 6-504.2(b) provides that, among other situations not relevant here, procurements negotiated with Canadian firms under ASPR § 3-203 (1976 ed.) for small purchases need not follow the general policy of being made through the CCC.

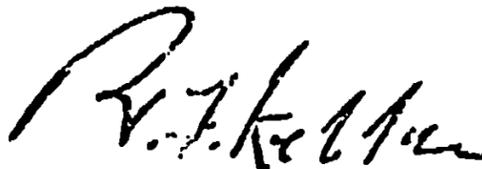
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USMC correctly points out that this procurement was formally advertised, not negotiated. Furthermore, ASPR § 3-600 (1976 ed.) provides that procurements initially estimated to exceed \$10,000 shall not be made by the small purchase method. The present procurement, as evidenced by the bids, including that of Campbell, exceeds \$10,000 by a considerable amount.

Campbell asserts that it has the endorsement of the Canadian cabinet officer responsible for CCC; however, it adduces no evidence in support of this claim. USMC specifically asked CCC to verify whether Campbell had such an endorsement and received a negative response. Even if Campbell could now prove that it had the proper endorsement, the undisputed facts show that the endorsement was not submitted with Campbell's bid, as required by ASPR. Under these circumstances, we believe that Campbell's bid was properly determined to be non-responsive. See Canadian Commercial Corporation, B-185816, June 21, 1976, 76-1 CPD 396.

In light of our conclusion, we need not consider Campbell's remaining arguments.

Protest denied.



Deputy Comptroller General  
of the United States