Protest of	)	
	)	Date: June 12, 1987
MULTIGRAPHICS	)	
	)	
Solicitation No. 161542-87-C-0011	)	P.S. Protest No. 87-24

DECISION

Multigraphics, a division of AM International, protests the issuance of a purchase order to American Printing Equipment, Inc. (American Printing) under Request for Quotations 161542-87-C-0011 for an offset duplicating press. The protester contends that the equipment proposed by the awardee did not meet the specifications of the solicitation.

Request For Quotations (RFQ) No. 161542-87-C-0011 was issued by the Chicago Division Procurement Activities Office on February 19, 1987, seeking quotations for an offset duplicating press for the Chicago Main Post Office. The RFQ's short list of specifications included a required paper feed capacity of 5,000 sheets of 20-pound paper, an image area of approximately 10-3/4 by 14-1/4 inches, and a continuous moisture system. Quoters were requested to submit a price, along with the name of the make and model quoted. Six quotes were received by the due date of February 27. The contracting officer states that two quotes were close enough to the RFQ's specifications to warrant further consideration, but that she concluded that further information was necessary from both quoters.[1/] Additional information was first requested from the low quoter, American Printing. After receiving satisfactory information, she decided that further information from the next low quoter, Multigraphics, was unnecessary and issued a purchase order to American Printing on March 18. The awardee delivered the equipment on March 20 and installed it on March 23. This protest followed.

[1/]The request for further information was proper. An RFQ is a negotiated rather than an advertised procurement. See, Lancom, Inc., P.S. Protest No. 85-48, October 9, 1985.

Multigraphics contends that the equipment quoted by American Printing does not meet the RFQ's specifications concerning paper feed capacity, image area, and moisture system. The protester asserts that American Printing's quoted equipment, Itek model number 960,[1/] has a paper feed capacity of only 4,000 sheets. A smaller sheet capacity, Multigraphics argues, is less efficient because the feeder has to be loaded more often. Multigraphics also charges that the 11-1/4 inches by 16-3/4 inches image area of American Printing's quoted equipment exceeds the image area required by the RFQ, and will therefore be unable to accommodate the special smaller size of government papers. Finally, Multigraphics asserts that American Printing's quoted equipment does not meet the RFQ's continuous moisture system requirement, but rather uses a less efficient integrated ink and moisture system.
To support its contentions, Multigraphics submits the specifications of the Itek 960 listed in a 1985 publication which the protester characterizes as "the standard information manual for the printing equipment buyer" and lists the feed assembly capability for the Itek 960 as 4,000 sheets, the maximum image area as 11-1/4 by 16-3/4 inches, and the dampening system as an integrated ink and water system.

In her report to this office, the contracting officer states that a technical evaluation of the 960 model by the Supervisor of the Duplicating Unit found that it meets the specifications of the RFQ, and that the press has been installed and is operating to the satisfaction of the Chicago post office. The contracting officer indicates that American Printing listed the paper feed capacity of the 960 model at 4,800 sheets of 20-pound paper, and that the supervisor found the actual capacity to be 5,000 sheets. She notes that the RFQ's image area specification was listed as an approximate requirement, and that the image area of the 960 model was found to be within acceptable limits. She indicates further that the 960's integrated water and ink system is a type of continuous moisture system. The contracting officer states that the purchase order was issued to the lowest responsible quoter. She recommends that the protest be denied.

The awardee has submitted comments on the protest. American Printing states that the model in question exceeds in some areas the general specifications of the manufacturer's equipment. The awardee indicates that the paper feed capacity meets the requirements of the Chicago post office, that the larger image area is optional and provides an extra benefit, and that the integrated

[2/]Originally, Multigraphics' protest listed the number of an alternative model quoted by American Printing rather than the model that was purchased. This error was corrected by Multigraphics in an update to its protest.

water and ink system is a continuous moisture system as required by the RFQ. American Printing states that its equipment meets the requirements of the Postal Service and is operating
satisfactorily.

Multigraphics' argument that American Printing's quote did not meet the RFQ's specifications is not supported by the record. The protester's only evidence for its claims that the paper feed capacity is 4,000 sheets is a two-year old commercial publication. The contracting officer states, however, that her technical evaluator found the press to have an actual paper feed capacity of 5,000 sheets. The statements of the contracting officer are given a "presumption of correctness" which it is the protester's burden to overcome. Lancom, Inc., P.S. Protest No. 85-48, October 9, 1985; GTE Business Communication Systems, Inc, P.S. Protest No. 83-79, February 8, 1984. Multigraphics has failed to meet this burden.

Multigraphics also insists that the 960's image area size is too large, and that the exact image size specified by the RFQ is needed to meet the Chicago Post Office's needs. Since the specifications indicated an approximate requirement, however, Multigraphics' argument is unconvincing. The specifications clearly indicated that the image area did not have to meet an exact size requirement. The technical evaluator found that the larger image area size was within acceptable limits, and would meet the needs of the office.

Finally, Multigraphics contends that the accepted model's integrated water and ink system is less efficient than the required continuous moisture system. The contracting officer states that the integrated water and ink system is a type of continuous moisture system. Multigraphics' unsupported allegation fails to overcome the presumption of correctness of this statement.

The protest is denied.

William J. Jones
Associate General Counsel
Office of Contracts and Property Law

[Compared to original 2/23/93 WJJ]