



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Vantage Products Corporation

File: B-265987

Date: January 3, 1996

Walter W. Leach III, Esq., for the protester.

Phillipa L. Anderson, Esq., Department of Veterans Affairs, for the agency.

Charles W. Morrow, Esq., and James A. Spangenberg, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protester has provided no basis to object to the Department of Veterans Affairs' (VA) procurement of only thermoplastic/thermosetting graveliners under a national requirements contract for use in various VA cemeteries, but not concrete graveliners—which are procured locally—where the protester's basic objection is that suppliers of the plastic graveliners have a competitive disadvantage because their prices are disclosed under the award of the national contract, but VA only procures concrete graveliners when the local office determines that they meet their burial needs and orders from the national contract when plastic graveliners meet their needs.

DECISION

Vantage Products Corporation protests the terms of invitation for bids (IFB) No. 101(402D3)-1-96, issued by the Department of Veterans Affairs (VA), to acquire thermoplastic/thermosetting graveliners under a single nationwide requirements contract for use in various VA cemetery sites within the contiguous United States, Hawaii, and Puerto Rico. Vantage contends that the effect of this procurement is to prevent manufacturers of thermoplastic/thermosetting graveliners, like Vantage, from competing equally with manufacturers of concrete graveliners because concrete graveliners are procured locally after the plastic graveliner's prices have been exposed under this requirements contract. Vantage requests that either the national IFB be amended to permit suppliers of concrete graveliners to compete, or that this IFB be canceled and all graveliners (concrete and plastic) be procured locally on an equal basis.

We deny the protest.

The VA acquires two types of graveliners--plastic and concrete. The VA reports that program officials at the individual VA cemeteries determine on a local level whether their individual needs are best met by plastic or concrete graveliners. The plastic graveliners can be procured on a national basis because they are lightweight, easy to ship and store in large quantities, and can be installed manually by cemetery personnel without the aid or assistance of special machinery. Also, procuring the plastic liners on a national basis presumably will allow VA to obtain the benefit of economies of scale that may not be available if the plastic liners were locally procured. In contrast, the concrete graveliners, which are much heavier and are installed by the supplier, are procured locally. If the local officials determine that concrete liners meet their needs, the requirement is met in a separate local procurement exclusively for concrete liners, which includes installation as part of the cost of the liner; if plastic graveliners are required, they are ordered from the national requirements contract.

Vantage's basic objection to the national procurement for plastic graveliners is that the successful contractor(s) are at a competitive disadvantage with regard to the local procurements of the concrete graveliners because suppliers of concrete graveliners can submit bids on the local procurements knowing the plastic graveliner's contract price. However, the VA reports that local competitions are only conducted after the agency determines that concrete graveliners meet their burial needs, and these competitions are restricted exclusively to bidders offering concrete graveliners, including installation. Thus, Vantage has provided no basis to object to the restriction of this procurement to plastic graveliners because the prices under the national contract for plastic liners are basically irrelevant when it is decided to acquire concrete graveliners.

The protest is denied.

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