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GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONTRACT APPEALS BOARD

PROTEST OF:

ROOFERS INCORPORATED

Under IFB No. 87-0041-AA-2-0-CC

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SUMMARY OF DECISION

Protest on sole ground that the apparent low bidder does not meet the definitive responsibility criteria set forth in the IFB is dismissed where the agency's action subsequent to the filing of the protest renders the issue academic or moot by determining that the apparent low bidder does not meet the definitive responsibility criteria and is otherwise nonresponsible.

DECISION

Roofers Incorporated protests that contract award should not be made to the apparent low bidder, Action Contractors of Washington, D.C. (Action), under IFB No. 87-0041-AA-2-0-CC, issued by the Department of Public Works, on the ground that Action does not meet the minimum five years experience requirement set forth in the Contractor's Qualifications provision of the IFB at p. 1.4-5. The IFB was issued to procure roofing work at the National Guard Armory.

By letter dated February 27, 1987 (filed with the Board on March 2, 1987), Mr. Harold T. Henson, Alternate Contracting Officer, advised the Board that:

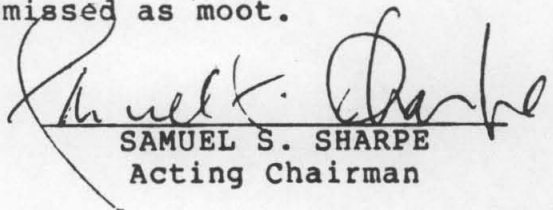
The Government has concluded that Action Contractors of Washington, D.C., does not possess five years of experience as required by the definitive responsibility criteria of the specifications,

and is for this and other reasons not responsible to do the work. Accordingly, the Government does not intend to permit Action to perform this work.

The alternate contracting officer, therefore, requested that the Board dismiss the protest as the issues raised in the protest are moot. The Board agrees that the question raised by the protest has been rendered academic or moot by the Department's determination that Action does not meet the definitive responsibility criteria set forth in the IFB and is otherwise nonresponsive.

Accordingly, the protest is dismissed as moot.

DATE: March 6, 1957


SAMUEL S. SHARPE
Acting Chairman

Copies to: John E. Touchstone,
Director, PW
Harold T. Henson, Contracting
Officer, PW
James McDaniel, Deputy Corporation
Counsel, PW
Richard S. Pineau, President,
Roofers Incorporated