

**DECISION**

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

FILE: B-186353

DATE: September 22, 1976  
*61536*

MATTER OF: Electronic Associates, Inc.

*97987*

## DIGEST:

Proposal which even after revision did not satisfy solicitation requirement to demonstrate employees' experience on specified or similar equipment was properly excluded from consideration for award since offeror did not meet burden of demonstrating acceptability of its proposal.

Electronic Associates, Inc. (EAI) protests the award of a contract to AAI Corporation under request for proposals (RFP) No. N61339-76-R-0013, issued by the Naval Training Equipment Center, Orlando, Florida. EAI contends that the Navy improperly determined that its proposal was not acceptable. The basis of the Navy's determination was that EAI had not sufficiently explained how the experience of its employees directly related to the services to be performed under the contract.

The solicitation covers preventive and remedial maintenance services for a Countermeasures Evaluator (CME) located at the Naval Coastal Systems Laboratory, Panama City, Florida. The CME included general purpose digital computers and peripheral devices, analog computers, acoustic synthesis equipment (ASE), interface hardware, operational military devices, and control and display components.

The evaluation provisions of the RFP required each proposal to show the offeror's related experience in the computer field and warned that a failure to comply could make the proposal unacceptable. Specifically, the proposal was required to demonstrate the competence of the offeror's technical field service personnel with respect to various factors, including "Experience on overall team maintenance of large systems equivalent to the CME described." The experience indicated was definitely a factor in evaluation.

Upon evaluation, the Navy determined that EAI's proposal was unacceptable and explained to EAI the need to show its field service personnel's experience on specified or similar equipment. EAI responded to the request for clarification and its proposal was reevaluated. While the evaluation team found that EAI had

clearly demonstrated its capability to maintain large general purpose hybrid computer systems, it concluded that EAI's proposal did not comply in the acoustic simulation area and failed to show the requisite experience on the designated or equivalent equipment. As a result EAI was notified that its proposal was found unacceptable and that further revisions would not be considered.

EAI states that prior to submission of proposals it was told by the Navy that experience on equipment which was equivalent to the CME would satisfy the solicitation. EAI contends that it responded to the intent of the solicitation by offering personnel of equivalent experience with training and education that exceeded the solicitation's requirements. Moreover, EAI contends that it submitted proof of experience on equivalent systems along with references who it does not believe were contacted.

The Navy agrees that firms such as EAI with a background of experience in maintaining general purpose hybrid computer systems could demonstrate maintenance experience with and training on equipment of the type contained in the CME at both the organizational and corporate levels. However, the Navy contends that " \* \* \* EAI did not appreciate the significant difference-for proposal evaluation and award determination purposes-between a general demonstration of diverse and, perhaps in another context, acceptable field engineering experience and training and a demonstration thereof specifically tied to the CME (ASE) requirements at hand." The Navy points out that EAI never made comparisons between other systems it maintained and the equipment comprising the CME (ASE).

The Navy acknowledges that EAI's offer states its personnel had experience with electronic counter-measure systems but points out that EAI did not explain how the components of those systems compared in complexity or maintainability to the ASE circuits identified in the solicitation. In regard to the protester's statement that its references had not been checked, the Navy points out that the solicitation states that "appraisal, evaluation, and selection of prospective contractors, as well as any subsequent negotiations between the parties, will be based on the information submitted in the proposals."

We do not find that the Navy acted unreasonably in determining EAI's proposal to be unsuitable for further discussions. Proposals were clearly required to show experience on the specified or equivalent equipment, and EAI had the burden of affirmatively

B  
B-186353

demonstrating that it met the requirement. See Consolidated Service, Inc., of Charleston, B-183622, February 18, 1976, 76-1 CPD 107. Since EAI's proposal did not comply with this requirement, even after the firm was given the opportunity to correct this deficiency, we find no basis for disagreeing with the Navy's determination to exclude EAI from further discussions.

Accordingly, the protest is denied.

Acting

  
Comptroller General  
of the United States