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Alan Zuckerman

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DECISION



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

FILE: B-189784

DATE: February 1, 1978

MATTER OF:

**United States Management,
Incorporated-Reconsideration**

DIGEST:

Prior decision holding that evaluation of proposals was not improper is affirmed where request for reconsideration only raises matters previously considered and no showing is made of erroneous legal conclusions.

United States Management, Incorporated (USM) requests reconsideration of our decision dated December 21, 1977, in which we denied the firm's protest after concluding, inter alia, that a Department of Labor solicitation advised offerors that award will be based on equally weighted technical and price considerations.

As a basis for its request, USM claims that this Office "has ignored the fact that the Department of Labor ex post facto assign[ed] a 50-50 evaluation criteria" for technical and cost, and that this Office did not consider the contracting officer's failure to prepare a comparative point rating on a combined technical and cost evaluation for the proposals. USM requests we "record the precise technical and cost ratings" for USM and for Science Management, Incorporated (SMI), the successful offeror, "to provide a basis for judicial review."

USM is essentially raising matters which we considered in our review of the evaluation that was conducted in this case. In our prior decision, we held that:

"* * * where the solicitation stated that 'major consideration shall be given to the evaluation of technical proposals, as well as price,' it is reasonable to conclude from this that both factors were to be accorded

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essentially equal importance. Moreover, if USM entertained any doubts as to the meaning of the instructions, it should have sought clarification prior to the date set for the receipt of initial proposals * * *."

We further held that the selection of SMI for award was not improper where the protester's technical proposal was rated 15 percent higher than SMI's, but at an estimated cost and fee which was 32 percent higher than SMI's. Implicit in this holding is that the contracting officer did not act improperly by not point scoring cost and arriving at combined numerical scores. In this regard, we point out that contracting agencies frequently use numerical scoring techniques in connection with evaluating technical matters but do not and need not numerically score cost. See, e.g., PRC Computer Center, Inc., et al., 55 Comp. Gen. 60 (1975), 75-2 CPD 35; 52 Comp. Gen. 686 (1973).

Since we have previously considered the matters raised by the protester on reconsideration, since there has been no showing of any erroneous legal conclusion in our prior decision, and since, if no combined technical and cost evaluation rating was prepared by the contracting officer, this Office would be unable to "record the precise technical and cost ratings" as requested, there is no basis for our considering this matter further. The prior decision is affirmed.

R. F. Kellum
Deputy Comptroller General
of the United States