



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: I.T.S. Corporation

File: B-228919

Date: November 25, 1987

DIGEST

Protest by incumbent contractor that solicitation for data entry services fails to advise prospective offerors that agency's computer system is inefficient, thereby precluding data entry operators from performing at industry standards, is denied. The record shows that the agency provided offerors with the most reliable available information concerning the computer system and a site visit to observe the equipment in operation, in addition to detailed information on contract performance requirements. There is no requirement that a specification be so detailed as to eliminate all performance uncertainties and risk.

DECISION

I.T.S. Corporation protests alleged specification deficiencies under solicitation No. F34650-87-R-0568 issued by the Air Force for data entry services at Tinker Air Force Base, Oklahoma. The solicitation calls for the submission of separate technical and price proposals. A fixed-priced contract is to be awarded on the basis of the low technically acceptable offer.

We deny the protest.

I.T.S., the incumbent contractor for these services, protests that the computer equipment and computer operating software at Tinker Air Force Base is inefficient, thereby precluding data entry operators from performing (keypunching) at the normal industry standard average of 12,000 keystrokes per hour. I.T.S. states that notwithstanding recent improvements to the computer system, the average keystroke rate is 8,500 keystrokes per hour. I.T.S. maintains that unlike other prospective offerors which do not have knowledge of equipment deficiencies, I.T.S. is at a "competitive disadvantage" because it will bid higher to

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supply the needed manpower to compensate for equipment problems--that is, more operators will be required to enter the data because 12,000 keystrokes per hour can not be accomplished. The protester contends that the solicitation should be amended to advise offerors of the computer system deficiencies so that other offerors will not submit unrealistically low prices and I.T.S. can compete on an equal basis with these firms.

The Air Force refutes the protester's allegations that the equipment is deficient. The agency states that the equipment furnished is suitable to perform the contract requirements as stated in the solicitation. The Air Force points out that 12,000 keystrokes per hour is not a solicitation requirement and, in any event, 12,000 keystrokes per hour can be achieved using its computer system.

The agency further argues that the solicitation provides prospective offerors with the most accurate, reliable equipment and workload information available to prepare their offers. The Air Force points out that the solicitation provides offerors with the manufacturer, type, description, quantity and serial number of the computer equipment. Accordingly, the Air Force maintains that offerors have the ability to learn about the equipment, including its capabilities and limitations. In addition, the Air Force points out that the solicitation provides work load estimates and descriptions of the work to be performed. The agency states that based on such information as well as other factors which affect productivity, such as management and data entry operator expertise, offerors are able to submit realistic prices for the work. The Air Force also points out that the solicitation provides for a site visit where offerors are able to witness operation of the computer system and thus observe equipment capabilities. Finally, the Air Force reports that a preproposal conference was held to answer questions concerning contract performance, including computer system performance. The record indicates that representatives of I.T.S. attended the preproposal conference.

Solicitations must be drafted to inform all offerors in clear and unambiguous terms what is required of them so they can compete on an equal basis. Newport News Ship Building and Drydock Co., B-221888, July 2, 1986, 86-2 C.P.D. ¶ 23. Specifications should be free from ambiguity and should describe the agency's minimum needs accurately. Korean Maintenance Co., B-223780, Oct. 2, 1986, 86-2 C.P.D. ¶ 379. However, there is no legal requirement that competition be based on specifications drafted in such detail as to eliminate completely any risk for the contractor, or that

the procuring agency remove every uncertainty from the minds of every prospective offeror. Id.

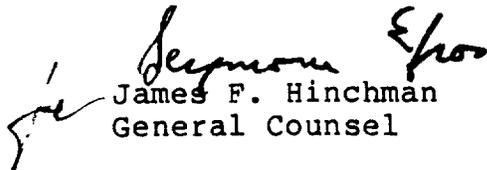
We find I.T.S.'s allegations without merit. While the protester contends that offerors should expect to perform data entry at 12,000 keystrokes per hour, there is nothing in the solicitation which requires performance at this rate. Also, there is no indication that other prospective offerors will use this rate in preparing their offers.

Further, I.T.S. has not shown that the information contained in the solicitation is inadequate to permit offerors to prepare their proposals on an equal and intelligent basis. The solicitation provides prospective offerors with detailed information concerning the Air Force computer system and contract requirements. In our view, the solicitation, which identifies the Air Force's computer system, provides work load estimates, describes the data entry jobs to be performed, advises offerors when specific jobs are required (such as on a daily or weekly basis) and informs offerors of the estimated average number of keystrokes per document or record, provides offerors with sufficient information to intelligently prepare their offers. In addition, prospective offerors were provided an opportunity to observe the operation of the equipment and, therefore, could assess its capabilities. See Kencom, Inc., B-200871, Oct. 5, 1981, 81-2 C.P.D. ¶ 275; Palmer and Sicard, Inc., B-192994, June 22, 1979, 79-1 C.P.D. ¶ 449. Thus, in our view, offerors were provided sufficient information to calculate their prices for the required services. See Sunnybrook, Inc., B-225642, Apr. 10, 1987, 87-1 C.P.D. ¶ 399.

The protester alleges that prospective offerors can not know the capabilities of all existing data entry equipment utilized in the industry and there is no way an accurate calculation of keystrokes can be obtained from observing the equipment in operation. As discussed above, the Air Force has provided offerors with detailed descriptive information on its computer system. The fact that there may still exist some uncertainties in the minds of prospective offerors does not make the specifications improper. In this regard, as the protester recognizes, data entry productivity is dependent on many factors such as, for instance, the type and complexity of the data to be entered and data entry operator expertise, which can not be estimated with certainty but which affect price. Offerors can take such

uncertainties into account in computing their offers. The mere presence of risk in the procurement does not make the competition improper. Harris System International, Inc., B-224230, Jan. 9, 1987, 87-1 C.P.D. ¶ 41.

The protest is denied.

 James F. Hinchman
General Counsel