



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: AEC International Inc.

File: B-237347

Date: February 12, 1990

John J. Steiniger, for the protester.
Paul Opalack, for the interested party, Noblestar Systems Corporation.
E. L. Harper, 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

Contracting agency properly rejected protester's proposal from the competitive range as technically unacceptable where the proposal contained significant technical deficiencies under the solicitation's most heavily weighted technical evaluation factors and required major revisions in order to be made acceptable.

DECISION

AEC International Inc. protests the rejection of its proposal under request for proposals (RFP) No. 101-30-89, issued by the Office of Acquisition and Materiel Management, Department of Veterans Affairs (VA), for a military records search. AEC contends that the VA improperly rejected the proposal.

We deny the protest.

As part of the VA's epidemiological research of Vietnam era veterans, the VA issued this RFP on July 19, 1989, to obtain military service data on 36,022 selected veterans of the Vietnam era from military personnel records located within the National Personnel Records Center (NPRC). The contractor was responsible for obtaining actual records from the NPRC and abstracting certain vital information for each veteran and was required to furnish all necessary personnel, materials, forms and equipment to accomplish the task.

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Proposals were evaluated based upon four evaluation factors: (a) Technical Approach, (b) Relevant Organizational Experience, (c) Personnel, and (d) Cost. The technical approach and organization experience factors were weighted of equal value and significantly greater in value than the personnel factor, which was slightly greater in value than cost. Under Technical Approach, offerors were advised that the technical proposal should clearly demonstrate a high understanding of the project. Under Relevant Organizational Experience, offerors were advised that experience in the design, organization and management of this type of project would be evaluated and to provide evidence of having done similar work with a high degree of competence and timeliness. Under Personnel, offerors were advised that the experience and qualifications of the proposed personnel would be evaluated and that offerors should demonstrate internal staff capability sufficient to handle the project. Under cost, offerors were simply advised that the cost would be evaluated.

On August 25, the VA received 14 proposals in response to the RFP. A technical evaluation board (TEB), composed of three members, evaluated proposals. On September 13, the TEB determined that 12 of the 14 proposals, including AEC's, required major revisions in order to be made acceptable and were eliminated from the competitive range. AEC received a point score of 1.7 out of the 80 technical points. The remaining two offerors, which received scores of 69.3 and 78.7 were allowed to submit best and final offers. Based upon the final evaluation, the VA made award to Noblestar Systems Corporation.

In reviewing an agency's technical evaluation and decision to eliminate an offeror from the competitive range, we will not reevaluate the proposal, but instead will examine the agency's evaluation to ensure that it was not unreasonable or in violation of the procurement laws and regulations. See Comptron Research, Inc., B-235826, Sept. 25, 1989, 89-2 CPD ¶ 268. We find that the VA's technical evaluation of AEC's proposal and elimination of it from the competitive range were reasonable.

The TEB determined that AEC's proposal was technically unacceptable due to a myriad of weaknesses under each of the technical evaluation factors. The TEB found that AEC's technical proposal indicated a poor understanding of the complexity of the project. In particular, while AEC proposed to use PASCAL software, the RFP defined the "database" to be a flat file of abstracted information on a magnetic tape, and not a database that must be assessed by some software program. Further, the TEB found that AEC's

technical description was very weak with regard to abstracting methods, coordination of records search, the automated database, pilot test, quality control, data processing procedures, and organizational plan. The TEB also found AEC's proposal demonstrated no relevant experience for its organization or its key personnel. Based upon our review of AEC's proposal, we do not find that this evaluation and the exclusion of its proposal from the competitive range was unreasonable.

In challenging the reasonableness of the evaluation, AEC argues that its own management team reviewed the proposal and determined that it was fully responsive to the RFP. AEC also notes that its low score is inconsistent with the agency determination that its proposal met mandatory requirements.

The VA found the proposal technically unacceptable because, as noted above, it failed to adequately address the RFP's requirements and required major revisions to be made acceptable. The agency determination that AEC's proposal met mandatory requirements only indicated that AEC submitted an unequivocal offer to provide the service solicited in the RFP; it did not mean that the proposal was acceptable under the RFP evaluation criteria.

The protest is denied.


James F. Hinchman
General Counsel