



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Management Training Systems

File: B-238555.2

Date: July 17, 1990

Pauline M. Wehner, for the protester.
Col. Herman A. Peguese, Office of the Assistant Secretary,
Department of the Air Force, for the agency.
Anne B. Perry, Esq., and John F. Mitchell, Esq., Office of
the General Counsel, GAO, participated in the preparation of
the decision.

DIGEST

1. Protest alleging that contracting activity used undisclosed evaluation criteria is denied where the record is clear that proposals were evaluated in accordance with the criteria set forth in the solicitation.
2. Agency properly rejected protester's proposal as technically unacceptable where the proposal made a blanket offer to meet all required specifications but failed to provide sufficient detail regarding the solicitation's technical requirements.

DECISION

Management Training Systems (MTS) protests the determination that its proposal was technically unacceptable under request for proposals (RFP) No. F33600-89-R-0381, issued by the Department of the Air Force for the teaching of three supervisory and management training courses for Air Force civilian and military personnel at Wright-Patterson Air Force Base, Ohio. MTS contends that the Air Force had no reasonable basis to conclude that its proposal was technically unacceptable since the solicitation was ambiguous, and the agency used undisclosed criteria in evaluating its proposal.

We deny the protest in part and dismiss it in part.

The solicitation, issued October 23, 1989, divided the training being procured into three categories: (1) first level supervisor--seven presentations; (2) civilian

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personnel management course--four presentations; and (3) mid-level supervisory and management course--four presentations.

The criteria used in evaluating the technical proposals for this acquisition, listed in descending order of relative importance were as follows:

"1. QUALIFICATIONS OF INSTRUCTORS

- Meet minimum requirements of the Statement of Work.
- Ability to comprehend and instruct a class on Air Force Regulations (40 series concerning civilian personnel).
- Adequacy of educational specialty or experience.

"2. CORPORATE EXPERIENCE

- Meet the minimum program administration requirements.

"3. LESSON PLANS

- Understanding and potential for compliance with requirements.
- Provisions for periodic update.
- Identification for instructors.
- Evaluation of course effectiveness.
- Provision for review by 2750 Air Base Wing/DPCT (Civilian Training Office).

"4. START-UP/PHASE-IN PLAN

- Schedule of operations (tasks, manpower)."

Twenty-seven proposals were received by the amended date for receipt of initial proposals of December 18, 1989, with 4 determined to be fully acceptable; 11 marginally acceptable; and 12 unacceptable. The agency included the fully acceptable and marginally acceptable proposals in the competitive range and eliminated the remaining proposals, one of which was that of MTS, by letters dated February 1, 1990.

MTS filed an agency-level protest challenging the elimination of its proposal from the competitive range on February 6, and by a notice dated February 9, the contracting officer denied the protest. MTS filed a protest in our

Again, we find that it is not unreasonable for the agency to downgrade a technical proposal that contains mere generalities that it possesses experience or qualifications without any information in support of these assertions. It is an offeror's obligation to establish that what it proposes will meet the government's needs, and where a proposal fails to include information called for by the RFP, which is necessary to establish compliance with the specifications, the agency may reasonably find the proposal technically unacceptable. Aydin Corp. (West), B-237450, Jan. 18, 1990, 90-1 CPD ¶ 69.

MTS also argues that the rejection of its proposal was not made in good faith and, in fact, is part of a larger plan by the agency to have this work performed in-house. This contention is denied by the Air Force which notes that this solicitation is not being conducted as an Office of Management and Budget Circular No. A-76 cost comparison study, and which states that such a study would not be initiated unless no acceptable proposal was received under this solicitation. The protester's representative provides no support for this allegation besides stating that while employed by a prior contractor she had previous problems with one of the members of the evaluation panel. Our review of the technical evaluations, however, revealed that MTS received low scores from all of the evaluators and not just from the named individual. We will not attribute unfair or prejudicial motives to procurement officials on the basis of inference or supposition, and unsupported allegations, such as MTS' here, do not establish bad faith. Sikora & Fogleman, B-236960, supra.

Accordingly, the protest is denied in part and dismissed in part.



James F. Hinchman
General Counsel