



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Cirrus Technology, Inc.
File: B-244461
Date: October 21, 1991

David A. Zlotek for the protester,
Sherry K. Kaswell, Esq., and Justin P. Patterson, Esq.,
Department of the Interior, for the agency.
Robert C. Arsenoff, Esq., and John Brosnan, Esq., Office of
the General Counsel, GAO, participated in the preparation of
the decision.

DIGEST

Agency reasonably evaluated protester's revised proposal for a color roll film recording system where record reflects that protester took exception to some of the solicitation's technical requirements and where information demonstrating compliance with specifications was either general, inadequate, or not furnished at all.

DECISION

Cirrus Technology, Inc. protests the rejection of its offer as unacceptable under request for proposals (RFP) No. 1-4522, issued by the Department of the Interior, for a color roll film recording system to support satellite mapping activities. The protester disagrees with the conclusions drawn by the agency evaluators with respect to the technical acceptability of its proposal.

We deny the protest.

The RFP was issued on September 24, 1990, contemplating the award of a fixed-price contract to the offeror whose proposal was determined to present the greatest value to the government based on price and technical factors. Technical evaluation factors, which were weighted equally with price, included conformance with a series of detailed performance specifications, demonstrated company experience, warranty service and factory support, and compatibility. The RFP stressed the importance of providing complete and detailed documentation demonstrating compliance with these technical factors.

Two proposals were received on February 8, 1991. One received a score of 77 from the technical committee on the four factors outlined above and was considered acceptable. Cirrus's proposal was given a score of 33 and considered unacceptable. The evaluators found that Cirrus provided insufficient documentation to demonstrate compliance with the specifications and noted that the firm simply did not comply with others. They found that Cirrus's proposal consisted in large part of commercial literature on its current sheet film recorder along with the statement that the proposed equipment is the same as the current recorder "except it is a roll-film device." The evaluators found that there was little in the proposal to indicate that the protester's experience with sheet film recorders could be transferred to the production of roll film recorders of the type needed by Interior.

By letter dated April 8, offerors were asked to respond to a series of specific technical questions; in addition, Cirrus was directed to provide documentation demonstrating its compliance with the technical evaluation factors. A cutoff date was established for receipt of revised proposals on April 19. Cirrus's response, together with some technical data primarily consisting of drawings, was timely submitted.

The final technical evaluation resulted in a score of 34 for Cirrus and 87 for its competitor. The evaluators' report states that Cirrus's proposal, even as supplemented on April 19 with basic conceptual drawings of the unit proposed, lacked information sufficient to explain how the protester's system would operate in accordance with technical specifications related to the transportation and imaging of film through the machine. Also, according to the report, the proposal did not comply with a number of "critical" specifications regarding a computer selectable aperture and a status indicator for relative exposure levels.

In its protest, Cirrus generally maintains that the information it provided, primarily in the form of "engineering drawings," was sufficient to address Interior's concerns about whether its unit would meet specifications relating to the transportation and imaging of film. Cirrus also states with respect to a number of the agency's other technical concerns that it has "accepted" the specifications "without exception." As to whether it would provide a computer selectable aperture, Cirrus states that it accepts this feature "with exception to advances in technology." As to the need to provide a status indicator, Cirrus maintains that one is not necessary. On the basis of this line of

reasoning, the protester requests that we reevaluate its offer, overturn the agency's decision regarding its acceptability, and permit the firm to continue in the competition.

In reviewing agency evaluations of proposals, it is not the function of this Office to independently evaluate offers; rather, the determination of the technical adequacy of a proposal is a function of the procurement agency which enjoys a reasonable range of discretion which we will not disturb unless it has no reasonable basis. The fact that a protester may disagree with the agency evaluation does not itself render that evaluation unreasonable. KMS Fusion, Inc., B-242529, May 8, 1991, 91-1 CPD ¶ 447.

We have reviewed the protester's revised proposal in conjunction with the evaluation record and find that the evaluators' continuing concerns about Cirrus's technical proposal are reasonable. First, regarding whether Cirrus has demonstrated that it can produce a roll-fed device rather than a sheet-fed device, we note that the protester has relied upon reference materials describing its sheet-fed models without meaningful explanation of how this indicates its ability to produce a functional roll-fed device. Cirrus has also relied on very basic conceptual drawings which, although they provide a layout of its proposed machine, simply do not provide sufficient detail to allow a determination as to whether the proposed system will meet specifications. In this regard, Cirrus was cautioned by the agency in the April 8 request for additional detail and in the RFP itself to provide detailed information demonstrating how its machine worked. Thus, in our view, neither the reference to the drawings in Cirrus's revised proposal nor the protester's present unsupported assurances that it "accepts" many of the specifications serves to explain how, or whether, the machine it proposes will function.

Second, concerning the existence of a computer selectable aperture, Cirrus's revised proposal states that "at the present time" the operator must select the desired aperture manually; in its protest comments, Cirrus states that it accepts the specification with "exception to advances in technology." These responses do not provide any reasonable assurance that Cirrus equipment would meet the specification requirement, since Cirrus did not explain how its acceptance of the specification would translate into equipment that Cirrus's own revised proposal indicated did not meet the specification. Thus, we do not think the evaluators were unreasonable in concluding that the firm's proposed machine does not in fact have the required computer selectable equipment.

Third, regarding a status level indicator for relative exposure levels, the revised proposal does not directly address the issue but does make some reference to exposure levels being controlled by software; however, the protester did not timely provide descriptive literature regarding its software for the evaluators to consider. Cirrus's present position is simply that the required indicator is not necessary with contemporary technology, but this comment is offered without further explanation. Again, the evaluators' conclusions are reasonable.

In short, the record provides no basis for us to disagree with the conclusions of the evaluators. Accordingly, the protest is denied.


James F. Hinchman
General Counsel