



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

102076

Decision

Matter of: North-East Imaging, Inc.

File: B-256281

Date: June 1, 1994

Michael E. Geltner, Esq., and E. Louis Makrinos, for the protester.

William E. Thomas, Jr., Esq., Department of Veterans Affairs, for the agency.

Paul E. Jordan, Esq., and Paul Lieberman, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Solicitation notice that award will be made to offeror whose proposal is most advantageous to the government, price and other factors considered, coupled with advice that evaluation factors are listed in descending order of importance, provides reasonably definite outline of evaluation scheme. Where solicitation does not state the relative weights of evaluation subfactors, the subfactors are understood to be of equal importance.

DECISION

North-East Imaging, Inc. (NEI) protests the terms of request for proposals (RFP) No. 526-5-94, issued by the Department of Veterans Affairs (VA), for preventive maintenance and repair services on a mobile magnetic resonance imager. NEI contends that the RFP is defective because it fails to set forth the specific numerical weight to be afforded each evaluation factor.

We deny the protest.

¹NEI initially raised a number of other issues, to which the VA report responded in detail. In its comments, NEI did not dispute the agency's explanations. Instead, it specifically limited its argument to the agency's failure to provide subfactor weights. Accordingly, we have treated the other issues as abandoned. See Telephonics Corp., B-246016, Jan. 30, 1992, 92-1 CFD ¶ 130.

Section M of the RFP listed three evaluation factors, Service/Maintenance, Price, and Past Performance in descending order of importance. Under the Service/Maintenance factor, the RFP listed five subfactors: experience, ability to meet response time, capability to support service personnel, personnel qualifications, and understanding of the problem and project approach. The RFP did not set forth any relative weights for these subfactors.

NEI contends that the RFP is flawed because it does not indicate specific weights for the evaluation factors or subfactors and therefore does not adequately advise offerors of the basis on which the evaluation will be conducted.

A solicitation must clearly advise offerors of the broad scheme of scoring to be employed and give reasonably definite information concerning the relative importance of the evaluation factors in relation to each other. This does not mean, however, that the disclosure of the precise numerical weights to be used in the evaluation is required. A.J. Fowler Corp.; Reliable Trash Serv., Inc., B-233326; B-233326.2, Feb. 16, 1989, 89-1 CPD ¶ 166.

In our view, the RFP language provided offerors with sufficient information relating to the evaluation factors, how the proposals would be evaluated, and the relative order of importance of the factors. The fact that the RFP did not identify relative weights for the evaluation factors is unobjectionable. An appropriate method of disclosing the relative weights of the evaluation criteria is to list the factors in descending order of importance or priority. General Exhibits, Inc., 56 Comp. Gen. 882 (1977), 77-2 CPD ¶ 101. While the protester asserts that "descending order of importance" is misleading because it does not indicate whether one factor has a disproportionately high value relative to the others, we have held that such a disproportionate weighting would not be reasonably suggested by use of the term "descending order of importance" and when such a weighting is intended it must be more explicitly indicated. See BDM Servs. Co., B-180245, May 9, 1974, 74-1 CPD ¶ 237. In other words, the "descending order of importance" terminology properly can be used only where there is not disproportionate weighting. Accordingly, when that terminology is used, offerors are on notice that the evaluation criteria listing reflects a reasonable downward progression of relative weights.

As for the subfactors, it is well established that where the relative weights of subfactors are not disclosed in the RFP, the subfactors are understood to be of equal importance to each other. Martech USA, Inc., B-250284.2, Feb. 8, 1993, 93-1 CPD ¶ 110; Aurora Assocs., Inc., B-215565, Apr. 26, 1985, 85-1 CPD ¶ 470. The VA confirms that these subfactors

were intended to be of equal importance and that the evaluation was to be conducted on this basis.

We therefore find no merit to the protester's allegations. The protest is denied.

/s/ Ronald Berger
for Robert P. Murphy
Acting General Counsel