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**Comptroller General  
of the United States**

Washington, D.C. 20548

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# Decision

**Matter of:** The Travel Company

**File:** B-271167.2

**Date:** October 18, 1996

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Phyllis Doby for the protester.

Richard R. Kolkoski, Esq., Department of the Air Force, for the agency.

Linda C. Glass, Esq., and Paul I. Lieberman, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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## DIGEST

Agency properly rejected as technically unacceptable a proposal in which the offeror failed to provide required detailed procedures and methodology for movement of mass casualties and human remains and declined to describe proposed equipment, after having been advised explicitly of these proposal deficiencies during discussions.

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## DECISION

The Travel Company (TTC) protests the rejection of its proposal as technically unacceptable under request for proposals (RFP) No. F26600-95-R-0159, issued by the Department of the Air Force for commercial travel services for two Air Force bases located in Nevada and Idaho. The protester maintains that the agency improperly rejected its proposal for failure to provide detailed procedures and methodology for movement of mass casualties and human remains and failure to describe all equipment proposed for use in performing the contract.

We deny the protest.

The RFP contemplated the award of a firm, fixed-priced contract to the responsible technically acceptable offeror whose proposal offered to provide the government with the highest overall discount and concession fee rates. The solicitation advised offerors that the technical evaluation criteria included customer service and equipment and software capabilities. Contingency support was a listed subfactor under the customer service criteria, and the RFP required offerors to provide an emergency plan which included specific details as to how the contractor would handle the movement of mass casualties with 60 minutes notification for the duration of the emergency situation. As part of the emergency plan, offerors were required to demonstrate the capability to confirm itineraries for the shipment of human remains/escorts both at government expense and C.O.D. by the families at

the destination airport. With respect to equipment and software capabilities, the RFP called for offerors to describe all equipment they proposed to use in performance of the requirements of the contract including automated reservation, ticketing, and accounting components, with an explanation of major components.

Offerors were warned that cursory responses or responses which merely reiterated or reformulated the performance work statement (PWS) would not be considered responsive to the requirements of the RFP. An offeror's technical proposal had to demonstrate that the offeror was capable; possessed sufficient technical expertise and experience; possessed sufficient resources; and was able to plan, organize, and use those resources in a coordinated and timely fashion to achieve the RFP requirements. The solicitation further advised that a proposal had to be rated acceptable for all factors, subfactors, and items to receive an acceptable rating for the overall technical area. Proposals were to be evaluated as technically acceptable or unacceptable.

TTC's proposal was among 10 received by the agency. The initial evaluation resulted in all proposals being evaluated as either not ratable or unacceptable--susceptible of being made acceptable. TTC's proposal was ranked eighth based solely on the proposed discount and concession fee rates. Discussions were held with all offerors in the form of clarification requests (CRs) and deficiency reports (DRs). Four CRs and 12 DRs were issued to the protester. The protester provided adequate responses to all of the CRs and for 10 of the DRs. However, the agency concluded that the protester's response to DRs relating to two of the factors were inadequate. One DRs, involving customer service, advised TTC that its emergency support plan did not address the procedures and methodology for the movement of mass casualties and human remains. TTC's response referred back to its original proposal without providing any further details. The other DRs, involving equipment and software capabilities, advised TTC that its proposal did not address the equipment allocation, type, and amount to be located at the two Air Force bases and did not indicate the equipment to be located at the Mercury Satellite Facility. The protester responded by providing the number of commercial reservation terminals (CRTs) it would use at each location but failed to enumerate the other types of equipment it planned to use to perform the contract.

Based on the evaluation of these responses, the proposals of TTC and one other offeror were determined technically unacceptable. Requests for best and final offers (BAFOs) were issued to the eight remaining offerors, and BAFOs were received from all eight.

TTC contends that it did not need to provide additional information concerning procedures for the movement of mass casualties because these procedures were discussed in its original proposal in its emergency support plan. TTC further contends that the solicitation did not require the numerical details on equipment allocations that were required by the DRs. The agency maintains that the evaluation was proper, and also asserts that since the protester submitted the eighth lowest offer and all seven technically acceptable offerors' discount fees were significantly higher than the protester's, the protester had no reasonable chance of receiving the award.

Where a protester alleges that an agency's technical evaluation was improper, we examine the record to determine whether the agency's judgment was reasonable and consistent with the evaluation criteria. Allied-Signal Aerospace Co., B-250822; B-250822.2, Feb. 19, 1993, 93-1 CPD ¶ 201. A protester's disagreement with the agency's judgment without more, does not show that the agency's judgment was unreasonable. Id.

Here, the record establishes that the agency had a reasonable basis for eliminating TTC's proposal from the competitive range. The firm's revised proposal remained technically unacceptable because TTC failed to provide required information that was also specifically requested during discussions. As explained above, the RFP required a description of all equipment proposed to be used during performance. TTC's proposal was found technically unacceptable under this criterion chiefly because it provided a general statement about the equipment it would use, but failed to indicate that it had sufficient quantities of equipment located in the appropriate facilities to meet the requirements. Although, in response to the DRs, TTC provided specific information on the number and exact location of CRTs it would use, it did not provide this information on the other equipment it proposed to use. We do not believe the agency was unreasonable in requiring the offeror to provide the number and type of equipment it proposed to use in order to get a clearer understanding of the protester's ability to perform, notwithstanding TTC's statement that the solicitation did not explicitly require such a listing.

The RFP also required emergency plans that included specific details concerning the movement of mass casualties and human remains. Under the scope of response of TTC's emergency response plan, TTC stated its company would handle the following emergency movements: outbound/inbound movement of military troops; transporting victims from disaster areas; and movement of human remains. However, nowhere in its plan did TTC specifically address the transportation of human remains. When specifically asked to provide this information during discussions, TTC merely referred to its original proposal. In its comments on the agency report, TTC states that its use of the term "traveler" or "troop" in its emergency support plan includes both living and dead individuals. However, since it is not disputed that the transportation of human remains requires a different type

of preparation and equipment from that required for the transportation of living individuals, we think the agency reasonably determined that TTC's proposal contained informational deficiencies with regard to the former and failed to demonstrate TTC's ability to accomplish this requirement.

Since an agency may properly find a proposal technically unacceptable based on such informational deficiencies, Triton Marine Constr. Corp., B-250856, Feb. 23, 1993, 93-1 CPD ¶ 171, the Air Force's finding that TTC's proposal was technically unacceptable is not legally objectionable, particularly here, where the RFP provided that a proposal could be found unacceptable overall if it were found unacceptable in any one of the evaluation areas. Moreover, in view of the fact that the agency had received seven fully technically acceptable proposals at more favorable discount and concession fee rates than TTC's, it is clear that under the evaluation scheme used here TTC's proposal had no reasonable chance of being selected for award.

Accordingly, the protest is denied.

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