



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Management Resources, Inc.

File: B-276424; B-276424.2

Date: June 13, 1997

Robert M. Cambridge, Esq., for the protester.
James D. Bachman, Esq., and Michael F. Mason, Esq., Doyle & Bachman, for Strategic Analysis, Inc., an intervenor.
Robert Swennes, Esq., Department of the Navy, for the agency.
Mary G. Curcio, Esq., and John M. Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Evaluation using adjectival ratings supported by narrative assessments which detail the strengths and weaknesses in each proposal is sufficient to provide the source selection official with a clear understanding of the relative merits of proposals so that an appropriate source selection decision can be made.

DECISION

Management Resources, Inc. (MRI) protests the award of a contract to Strategic Analysis, Inc. (SAI) under request for proposals (RFP) No. N00014-95-R-0001, issued by the Department of the Navy for technical and administrative support for the Joint Director of Laboratories.

We deny the protest.

The solicitation, issued in 1995, provided for award on a best value basis and set forth three evaluation factors (in descending order of importance): technical approach, qualifications (comprised of three subfactors: personnel, corporate experience and corporate resources), and cost. Award initially was made to MRI. SAI challenged that award in a complaint filed in United States District Court, which ultimately found the award improper. As a result, the Navy reopened the competition, requesting and receiving best and final offers (BAFO) from MRI and SAI. Individual evaluators initially rated the proposals under each factor with one of four adjectival ratings--exceptional, fully qualified, marginal or unacceptable; the evaluators then assigned a consensus rating for each noncost factor. The Navy found the proposals equal with respect to the noncost factors, and awarded a contract to SAI based on its lower proposed cost (\$1.5 million versus \$2.2 million).

MRI asserts that the three available ratings in the acceptable range were insufficient to reflect the differences between proposals; two proposals--one with more superior features than the other--could receive the same acceptable rating, making the proposals appear to be equal in quality. MRI concludes that this had the improper effect of precluding award to it as an offeror submitting a higher-cost but higher technically rated proposal, as permitted under the solicitation.¹

This argument is without merit. Even if MRI were correct that three acceptable rating categories were insufficient (in fact, there is no requirement that agencies use rating schemes with a greater number of available ratings), it ignores the fact that the evaluation here also included detailed narrative comments regarding the strengths and weaknesses of each proposal under each noncost factor. These narrative comments, in conjunction with the adjectival ratings, put the selection official on notice of the relative merits of the proposals, and thus provided a reasonable basis for his conclusion that the proposals were essentially equal. See Cardinal Scientific, Inc., B-270309, Feb. 12, 1996, 96-1 CPD ¶ 70 at 3-4.

MRI argues that the assigning of consensus evaluation ratings improperly operated to make the proposals appear equal in quality, by obliterating the distinctions found by individual evaluators between the proposals. MRI again concludes that this evaluation scheme precluded the selection authority from balancing technical superiority against cost to determine whether a price premium was warranted for a superior technical proposal.

This argument is also without merit. At least where, as here, a selection decision is made with full knowledge of the proposals' relative strengths and weaknesses, there simply is no basis for concluding that a consensus rating deprived the selection official of information necessary to determine whether one of the proposals was technically superior or, ultimately, which proposal represented the best value.²

¹In its initial protest MRI argued that the agency did not conduct a meaningful cost realism analysis and that the agency did not properly consider the past performance of SAI in evaluating that company's offer. The agency specifically addressed these contentions in the agency report. MRI's comments did not specifically rebut the agency's position on these issues. Under such circumstances, we consider these issues abandoned. Cornet, Inc; Datacomm Management Servs., Inc., B-270330; B-270330.2, Feb. 28, 1996, 96-1 CPD ¶ 189 at 5-6.

²In any case, we fail to see how the use of a consensus rating among several evaluators resulted in an unreasonable evaluation. There is nothing objectionable in evaluators meeting to discuss the relative strengths and weaknesses of proposals in order to reach a consensus rating, which often differs from the ratings given by the individual evaluators. General Servs. Eng'g, Inc., B-245458, Jan. 9, 1992, 92-1 CPD ¶ 44 at 9.

Again, it is clear from the record that, notwithstanding the adjectival ratings and the manner in which they were developed, the selection official was fully aware of the various strengths and weaknesses of the proposals when he concluded that the proposals were essentially technically equal. As MRI has not challenged the specific evaluation conclusions, there is no basis to question the award to SAI based on its lower price.

MRI maintains that the evaluation failed to comply with the agency's source selection plan. However, alleged deficiencies in the application of a source selection plan do not provide a basis for questioning the validity of the award selection; these plans are internal agency instructions and as such do not give outside parties any rights. Management Plus, Inc., B-265852, Dec. 29, 1995, 95-2 CPD ¶ 290 at 2-3. Rather, the agency is required to follow the evaluation scheme set forth in the RFP and to conduct its evaluation in a manner that will reach a rational result. Id. MRI has established no basis for the conclusion that the Navy's proposal evaluation was inconsistent with the RFP's evaluation scheme.

The protest is denied.

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