



**Comptroller General  
of the United States**

Washington, D.C. 20548

# Decision

## DOCUMENT FOR PUBLIC RELEASE

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**Matter of:** Omega World Travel, Inc.

**File:** B-276837.3

**Date:** June 9, 1998

Barry Roberts, Esq., and Brian J. Hundertmark, Esq., Roberts & Hundertmark, for the protester.

Janet L. Harney, Esq., General Services Administration, for the agency.

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## DIGEST

1. Protest that in evaluating proposals procuring agency unreasonably inflated score of awardee's proposal is denied where protester does not explain why it believes scoring was improper, and nothing on face of evaluation appears unreasonable.
2. In performing tradeoff between technical quality and level of rebates, agency properly credited awardee's proposal for transportation rebate on both technical and rebate sides, since solicitation provided for evaluation of discounted or free ground transportation under technical evaluation, and rebate was unconditional and its value quantifiable.

## DECISION

Omega World Travel, Inc. protests the award of a contract to American Express Travel Related Services Co., Inc. under request for proposals (RFP) No. 3FBG-W-CM-N-5222, issued by the General Services Administration (GSA) for travel management center services for the Department of State, United States Information Agency, and United States Agency for International Development. Omega asserts that GSA misevaluated proposals and did not perform an adequate tradeoff between technical quality and the level of rebates.<sup>1</sup>

<sup>1</sup>Omega raised other issues in its protest relating to discussions and the mandatory rebate. The agency responded to these arguments in its report, and the protester simply stated in its comments on the report that "Omega hereby incorporates the arguments raised in its previous submissions. . . ." Since Omega has not substantively rebutted the agency's position on these issues, we view them as

(continued...)

We deny the protest.

The solicitation, issued on February 10, 1998, set out minimum service requirements in sections C and H, as well as a mandatory minimum rebate (based on domestic air ticket sales) that offerors were required to provide to the government. Proposals that met the minimum requirements were evaluated against the following technical criteria: Section C, Enhanced Services (with subfactors for project management, quality control plan, personnel, and implementation plan); section H, Enhanced Services (discounted or free airport parking and discounted or free ground transportation); and Past Performance. Solicitation § M. Proposals were rated under each subfactor on a numerical scale. Technical Evaluation Plan. Proposals also were evaluated for any rebate offered the government in addition to the mandatory rebate. Solicitation § M.4. Technical quality was more important than additional rebates, and award was to be based on the best value to the government. Solicitation § M.2.

Omega's and American Express's proposals were among those included in the competitive range. After the final technical evaluation, American Express's proposal was ranked [DELETED] in technical merit, with a score of 293.68, while Omega's was ranked [DELETED], with 245.67 points. Source Selection Decision at 2. Omega offered the government the highest additional rebate (\$7,712,712.30) and American Express the second highest (\$5,910,337.08), but American Express also proposed a [DELETED], which could be applied toward ground transportation. With this proposed [DELETED], more than offsetting the difference in the additional rebate offered by Omega. GSA performed a tradeoff between technical quality and the level of rebates, including consideration of the [DELETED], and made award to American Express after it determined that its offer was most advantageous to the government. Source Selection Decision. This protest followed.

Omega argues that GSA improperly evaluated American Express's proposal in several respects.

The evaluation of proposals is primarily a matter within the discretion of the contracting agency since it is responsible for defining its needs and the best method of accommodating them. In reviewing a protest of an agency's proposal evaluation, our Office will not question the evaluation unless it is unreasonable or inconsistent with the RFP's evaluation criteria. The protester bears the burden of proving that

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<sup>1</sup>(...continued)  
abandoned and will not consider them. See LSS Leasing Corp., B-259551, Apr. 3, 1995, 95-1 CPD ¶ 179 at 5 n.6.

the evaluation is unreasonable. Ogden Support Servs., Inc., B-270354.2, Oct. 29, 1996, 97-1 CPD ¶ 135 at 3. We have reviewed all of Omega's arguments and find them to be without merit. We discuss the principal arguments below.

#### ADDITIONAL HARDWARE/SOFTWARE

The solicitation provided under the project management subfactor of section C, Enhanced Services that GSA would evaluate offerors' ability to provide additional hardware and software capability to increase automated reservation system services beyond the minimum required. Solicitation § M.3.1(1)(a). American Express offered [DELETED]. Contracting Officer's Statement at 2; Source Selection Decision at 3. GSA found that the offered enhancements would benefit the government by facilitating access to travel arrangements and ensuring quality service, and credited American Express's proposal [DELETED] points for the enhancements. Omega asserts that, in fact, these enhancements offer little more than Omega's proposal, and concludes that GSA unreasonably inflated American Express's score based on these enhancements.

While Omega asserts that these enhancements offered by American Express should not have been assigned more than 1 point in the evaluation, it does not deny that the enhancements will in fact benefit the government, and offers nothing more than its opinion that, contrary to the agency's judgment, the enhancements will provide only a marginal benefit compared to Omega's proposal. As GSA notes, the scoring of proposals is a matter primarily within the discretion of the contracting agency; technical evaluators have considerable latitude in assigning ratings which reflect their subjective judgments of a proposal's relative merits. MiTech, Inc., B-275078, Jan. 23, 1997, 97-1 CPD ¶ 208. Given that the [DELETED] undisputedly constitute additional computer hardware and software that would improve the automated reservation services, and that Omega has provided no specific argument or evidence showing that the scoring was arbitrary or otherwise unreasonable, there is no basis for questioning American Express's rating under this subfactor.

Similarly, Omega complains that American Express's proposal unreasonably was scored 40 percent higher than Omega's for its quality control plan; Omega asserts that there was no proper basis for such a large difference, given that both Omega and American Express have provided superior quality control services to their government accounts in the past and both offers are substantially similar. The record shows, however, that American Express offered more enhancements under this subfactor than Omega, that its enhancements were deemed of greater benefit to the government than Omega's, and that American Express's higher score was based on these enhancements. For example, American Express offered to establish a [DELETED]. The agency considered this to be a particularly valuable enhancement since it would provide around-the-clock travel assistance from travel counselors familiar with the customer agency's travel requirements. Omega's proposal also was credited for offered enhancements in this area--for example, [DELETED]--but

Omega's enhancements were neither as numerous, nor deemed as providing as great a benefit. Agency's Response to Protester's Comments, April 21, 1998, at 8-9. This scoring clearly was consistent with the evaluation scheme, and there is no evidence supporting Omega's mere assertion that American Express's enhancements were assigned too many points.

We conclude that Omega has done no more than express its disagreement with the evaluation in this and other areas; such disagreement with an evaluation is insufficient to demonstrate that the evaluation is unreasonable. Ogden Support Servs., Inc., supra, at 3.

#### GROUND TRANSPORTATION [DELETED]

Omega protests that American Express's proposal improperly was accorded credit for its offered ground transportation [DELETED] both under the technical evaluation--where it received the maximum [DELETED] points for this enhancement--and as a cost (rebate) advantage in the tradeoff analysis. Omega maintains that, in contrast, the agency considered Omega's offered enhancements only in the technical evaluation.

An agency properly may take a feature of a proposal into account under more than one evaluation area where the areas are designed to assess different aspects of the proposal feature. See Wilcox Elec., Inc., B-270097, Jan. 11, 1996, 96-1 CPD ¶ 82 at 5-6. This is what happened here.

GSA considered American Express's ground transportation [DELETED] offer under solicitation section M.3.2(2), which states that the government will consider an offer to provide discounted or free transportation to servicing airports. The record shows that there were distinct technical advantages to the [DELETED] for the agencies. For example, this methodology was available and [DELETED]. GSA also considered the ground transportation [DELETED] to be a cost advantage in its tradeoff deliberations based on the pure monetary benefit to the government--it was [DELETED] and effectively and simply constituted another additional [DELETED]. Source Selection Document at 6. GSA could accurately determine the value of this enhancement from the [DELETED] under the contract. Since the [DELETED] provided the government with definite technical and cost advantages, it was proper to consider the [DELETED] favorably in both areas.

While Omega is correct that GSA did not consider the monetary value of any of the other offered enhancements, this was solely because none of those other enhancements could be valued with any accuracy. Thus, for example, while Omega offered a ground transportation discount of between [DELETED], the agency could not estimate how many travelers would take the [DELETED], and therefore could not assess the monetary value of this benefit. Similarly, both American Express and Omega offered discounted parking, with the amount of the discount dependent on

the airport used. GSA could not value this discount for either offeror because there was no way to estimate how many travelers would use it (i.e., how many would park at the airport), and which airports would be used. We conclude that the agency properly considered unquantifiable proposed enhancements only in the technical evaluation.

The protest is denied.

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