DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-213287 **DATE:** August 6, 1984

MATTER OF: Computer Sciences Corporation

DIGEST:

1. It was not improper for an agency to accept a data base management system as technically acceptable under a non-restrictive interpretation of the term "user-friendly" where the specification did not advise vendors that a more restrictive definition would be applied.

2. Protester's speculation that the awardee's evaluated cost of using its system may not be indicative of the true cost is without merit where the agency confirms that the costing benchmark was in fact run using the vendor's offered system and there is no evidence that the awardee's costs were influenced by specialized benchmark programs any more than were the protester's costs.

3. Agency properly determined that a data base management system capable of handling exactly ten time periods satisfied a requirement for a system capable of handling "multiple" time periods.

Computer Sciences Corporation (CSC) protests the award of a data base management system contract to Martin Marietta Data Systems under delivery order No. DACW31-84-F-0001, issued by the U.S. Army Corps of Engineers under the Teleprocessing Services Program (TSP) Multiple Award Schedule contract. CSC maintains that Martin Marietta's proposal was technically unacceptable based on the results of benchmark testing, and that the award therefore was improper. We deny the protest.

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The competition was initiated by a Commerce Business Daily synopsis which was sent, together with specifications, to all vendors with a current TSP multiple award contract. The protest centers around the requirement for a system which could be operated by government financial analysts and clerical personnel without a computer background. The specific requirements in question are as follows:

"MANDATORY: The query/update and report writer must have a user-friendly, English-like syntax that can be used by non-programmers. . . .

"MANDATORY: The financial analysis software must have a user-friendly, English-like syntax that can be used by non-programmers . . . ."

Another requirement stated that the vendor's financial modeling and analysis routines had to be "capable of handling data covering multiple time periods."

The agency also advised vendors that a benchmark test would be required of each vendor to determine both compliance with the mandatory requirements and the equivalence between the resource units used by them to charge for computer resources. The evaluation was to encompass ease of use, the mandatory features, and monthly cost. Monthly cost was to be computed based on the benchmark and volume of usage estimates. Award would be made to the technically acceptable vendor with the lowest evaluated price.

Five vendors expressed interest in the procurement. Of those, Martin Marietta and Information Consultants were found to be technically unacceptable. The evaluation of Martin Marietta's benchmark resulted in a determination that it had not met the three mandatory requirements listed above. Specifically, the evaluation team which reviewed the benchmark found that the query/update and financial analysis programs Martin Marietta wrote for the benchmark contained "considerable logic" (i.e., programming language which would have to be changed in order to perform other than the benchmark functions). The team termed this programming task "formidable" and concluded that this aspect of the system did not satisfy the "user-friendly" and "English-like syntax" requirements. The evaluation also found Martin Marietta had failed the multiple time periods

requirement since the programs Martin Marietta wrote for the benchmark in its programming language were designed to handle exactly ten time periods and thus could not handle an "arbitrary" number of time periods.

Information Consultants also was found technically unacceptable for similar reasons, leaving CSC as the technically acceptable offeror with the lowest evaluated price ($177,141 for 1 year plus 2 option years). CSC was awarded the delivery order on September 2, 1983.

Martin Marietta subsequently took issue with the Corps over its rejection, arguing that its RAMIS II data base management system was in fact user-friendly and did have an English-like syntax. The Corps reexamined the original benchmark results and agreed. This reevaluation concluded that while transparent (i.e., invisible to user) programs might be necessary to perform various contract functions, once the system was programmed, the user could perform the work under RAMIS II using English-language prompts. The Corps found that this is all that was called for by the specifications. The Corps also concluded that while Martin Marietta's benchmark may not have established a capability to handle an "arbitrary" number of time periods, the demonstrated ten time periods did satisfy the "multiple" time period requirement. The Corps reversed its evaluation of Information Consultants' system for similar reasons, concluding that it also was technically acceptable.

Based on the reevaluations, the Corps terminated CSC's delivery order and awarded a contract for the requirement to Martin Marietta as the low technically acceptable offeror at an evaluated price of $147,377.90.

CSC contends that the original negative evaluation of Martin Marietta's benchmark should stand since the first evaluation team specifically found that Martin Marietta's benchmark programs could not be revised by non-computer professionals to meet the Corps' needs. CSC agrees with the original evaluators that the system cannot be deemed user-friendly in view of this finding. CSC further points out that to the extent Martin Marietta's benchmark programs were specially designed for the benchmark tasks, the cost evaluation based on the benchmark may not have been an accurate indication of the true cost of using the RAMIS II system.

We find that the opposite findings by the two evaluation teams resulted from the absence from the

solicitation of any detailed criteria defining "user-friendly"; the solicitation did not state just how user-friendly the system had to be. The second evaluation team decided that, absent such strict criteria, the Martin Marietta system must be considered user-friendly since, even though it would require some programming skills to prepare the system for various required functions, once the programs were in place, the user would be able to operate the system using English-language prompts. Notwithstanding CSC's claim that a stricter standard should be applied, we find nothing objectionable in the Corps' application of this more lenient definition.

Furthermore, while Martin Marietta's benchmark indicated a need for some reprogramming, we find that CSC also used conventions during its benchmark not typically associated with "user-friendly." Specifically, CSC used difficult to understand special characters with their editor and, as did Martin Marietta, used pre-written, specialized programs to perform the benchmark rather than programs which were general in nature and which would facilitate non-programer use and understanding. It thus appears CSC also benefited from the Corps' use of less than the strictest standard in determining whether its system qualified as user-friendly.

Despite CSC's speculation to the contrary, the Corps has confirmed that Martin Marietta's benchmark, and thus its cost evaluation, was in fact based on its RAMIS II system. Both Martin Marietta and CSC used additional specially designed programs, but there is nothing in the record which suggests that Martin Marietta's evaluated costs were influenced by the special benchmark programs any more than were CSC's costs.

We share the second evaluation team's view that Martin Marietta's system satisfied the time period requirement. While we agree with the initial evaluation that exactly ten time periods would not satisfy a requirement for a capability to handle an "arbitrary" number of time periods, the specification did not define the requirement in that manner; it called only for a "multiple" time period capability. We believe the Corps properly determined that a system capable of handling ten time periods met the actual specification requirement.

The protest is denied.

Comptroller General
of the United States