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DECISION



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

FILE: B-219780 **DATE:** August 16, 1985
MATTER OF: Systems Research Laboratories, Inc.

DIGEST:

1. Where the solicitation in a negotiated procurement specifies that cost is the least important factor for award, the government may conclude that it is more advantageous to award a contract to an offeror with a superior technical proposal even though its price is not low.
2. An allegedly inadequate debriefing is a procedural defect that does not affect the propriety of an award.

Systems Research Laboratories, Inc. (SRL) protests the contract award to Honeywell, Inc. under the Department of the Air Force's request for proposals (RFP) No. F33657-85-R-0028, for the purchase of avionics and armament maintenance trainers for F-16 aircraft. SRL maintains that it should have been awarded the contract as the low "technically-acceptable" offeror. SRL also asserts that it received an inadequate post-award debriefing.

We dismiss the protest.

The RFP provided that the selection of a contractor would be made on the basis of an "integrated assessment" of each submitted proposal and of three specific evaluation elements with varying degrees of importance: technical considerations would be the most-heavily weighed, management capabilities would be less important, and cost would be the least important. The RFP also stated that "subjective judgement" of government evaluators would be "implicit in the entire [award] process" and that award would be made to the responsible offeror whose offer was "most advantageous to the government."

Where a solicitation for a negotiated procurement advises offerors that technical factors are more important than cost, the procuring agency may conclude that it is more advantageous to the government to award the contract to an offeror with a superior technical proposal, even

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though its price is higher than that associated with other technically-acceptable proposals, if the lower prices are offset by the advantages of the technically superior proposal. Barber-Nichols Engineering Co., B-216846, Mar. 25, 1985, 85-1 CPD ¶ 343. Consequently, the protester is not automatically entitled to award merely because it offered the lowest price. Henderson Aerial Surveys, Inc., B-215175, Feb. 6, 1985, 85-1 CPD ¶ 145. In other words, the government is not obligated to make award to the low offeror in a negotiated procurement, unless the solicitation specifies that cost will be the determinative factor. The Communications Network--Request for Reconsideration, B-215902.2, Jan. 22, 1985, 85-1 CPD ¶ 76. In this case, the solicitation did not indicate that award would be made on the basis of the lowest priced, technically acceptable proposal. Rather, offerors were clearly on notice that cost would be only one (the least important) of the specific factors in determining the successful firm.

With regard to SRL's contention that it received an inadequate debriefing, even if this were the case, it is a procedural matter which does not affect the propriety of the award. Nuclear Assurance Corp., B-216076, Jan. 24, 1985, 85-1 CPD ¶ 94.

SRL does not set forth a valid basis for protest. Therefore, pursuant to 4 C.F.R. § 21.3(f) (1985), the protest is dismissed.



Ronald Berger
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General Counsel