



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: F & T Data Services, Inc.

File: B-225638

Date: May 6, 1987

DIGEST

Procuring officials enjoy a reasonable degree of discretion in evaluating proposals, and the General Accounting Office will not disturb an evaluation where the record indicates that the conclusions reached are supported by the information in the proposals and consistent with the criteria set forth in the solicitation.

DECISION

F & T Data Services, Inc., protests the award of a contract to Gulf Systems, Inc., by the United States Army Corps of Engineers under request for proposals (RFP) No. DACW29-86-R-0116, for automated data collection services for the Corps' Waterborne Commerce Statistics Center. F & T, the incumbent, contends that the Corps failed to evaluate its proposal properly with respect to the criteria for award, and also challenges the failure to award to a woman-owned business.

We deny the protest.

Background

The solicitation, issued on August 22, 1986, involved the change from manual data collection of approximately 110,000 reports from 1,300 active ship operators operating 37,000 vessels, to an automated system. Proposals were evaluated on, in descending order of importance, Experience, Capability, Management, and Price, with a total of 12 subfactors.

The Corps received three proposals in response to the solicitation. All offerors were found acceptable and were asked to submit best and final offers (BAFO's); F & T, which the Corps asked to address 26 questions in its BAFO, received a final technical score of 46, a price score of 20.79 and a total score of 66.79. Gulf received a technical

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score of 61, a price score of 21 and a total score of 82. Accordingly, the Corps awarded the contract to Gulf on December 17, 1986. F & T protested to the Corps on December 19 and 23 and requested a debriefing; when no response was forthcoming, F & T protested to our Office on January 15, 1987.

Evaluation of F & T's Proposal

F & T complains that, since the firm performed the prior contract the preceding 3 years, it is inconceivable that Gulf, which had lost the contract to F & T, could be evaluated higher than F & T under any of the evaluation factors.

Our review of the evaluation documents shows that only on two of the five Capability subfactors, understanding of scope and magnitude of the work and minimum qualifications established for personnel, did F & T's evaluation equal Gulf's. The most significant disparity in scores occurred in the subfactors for past performance of the firm in similar work (under the Experience factor), knowledge of specific computer applications (under Capability), equipment suitability (also Capability), and establishment of acceptable quality levels (a subfactor of Management). There were less significant disparities in the remaining six subfactor-scores.

The evaluation documents further show that, for example, while F & T was the incumbent for the manual data collections for the Waterborne Commerce Statistics Center, it has not had similar automated data collection contracts. Moreover, its performance on the manual collection contract was adjudged by the evaluators to be "less than satisfactory," "moderately successful," and "marginal." Gulf, on the other hand, currently has an automated coding and data entry contract at the Waterborne Commerce Statistics Center on which its performance is adjudged to be more than satisfactory, and has successfully completed comparable projects.

It also is clear from the record that a primary area of specialization for Gulf's firm and personnel is the development of on-line applications software, and that Gulf already is familiar with the coding and data entry aspects of gathering the Corps' waterborne commerce statistics. In contrast, F & T's plan for conversion states that a subcontractor will set up the initial phase of the implementation of the process and be available for guidance throughout the contract; while this plan was not found inadequate, it is apparent that the Corps was concerned that

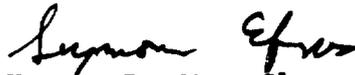
F & T's own staff does not have specialized knowledge in automated conversion.

In reviewing complaints about an agency's technical evaluation, our function is not to conduct a reevaluation and make our own determination about an offer's merits. Procuring officials necessarily have a reasonable degree of discretion in evaluating proposals, and we will not question their decision unless it is shown to be arbitrary or in violation of procurement laws or regulations. B & W Service Industries, Inc., B-224392.2, Oct. 2, 1986, 86-2 C.P.D. ¶ 384. Our review of the evaluation materials does not establish that the Corps was unreasonable in its judgments; F & T's disagreement with the scoring based on the firm's belief that it has been and would continue to be a successful contractor does not invalidate the Corps' conclusions. See Technology Inc., B-223999, Nov. 4, 1986, 86-2 C.P.D. ¶ 517.

Woman-Owned Business

F & T also raises the issue of the Corps' denial of the contract to a woman-owned small business, noting that the solicitation includes the provision at Federal Acquisition Regulation, 48 C.F.R. § 52.219-13 (1986), that women-owned businesses should have the maximum practicable opportunity to participate in performing contracts awarded by federal agencies. We have reviewed the record and are unable to discern any evidence of discrimination against F & T in the Corps' evaluation. Moreover, the cited provision states a government policy, and does not mandate that a woman-owned business receive special consideration in any particular procurement. See Le-Gals, Inc., B-212531.2, Oct. 5, 1984, 84-2 C.P.D. ¶ 386.

The protest is denied.

for 
Harry R. Van Cleve
General Counsel