

Terry



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: GTE International, Inc.

File: B-241692

Date: February 19, 1991

Enrique Leon for the protester.
Richard W. Freethey, U.S. Coast Guard, Department of Transportation, for the agency.
Anne B. Perry, Esq., Paul Lieberman, Esq., and John F. Mitchell, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Agency determination to reject protester's proposal as technically unacceptable was reasonable where proposal was prepared in an abbreviated format with numerous deficiencies, including a failure to provide a detailed technical approach for equipment installation as specifically required by the solicitation, such that the proposal would require major revisions in order to be made acceptable.

DECISION

GTE International, Inc. protests the award of a contract to Astro Systems, Inc. under request for proposals (RFP) No. DTCG84-90-R-3TL333, issued by the United States Coast Guard, Department of Transportation, for a microwave communication upgrade for the U.S. Coast Guard Communication Station, San Juan, Puerto Rico. GTE alleges that its proposal was low priced, contained sufficient information to determine its technical approach, and was improperly rejected as technically unacceptable.

We deny the protest.

The solicitation calls for the acquisition and installation of equipment, and preventative and remedial maintenance of the microwave communication system, with four 1-year options for preventative and remedial maintenance on a monthly basis, plus maintenance calls outside the principal period of maintenance on an hourly basis. The solicitation instructed offerors to submit separate price and technical proposals. The technical proposal was to include two parts: descriptive literature for the equipment/system and the technical approach for equipment installation. The RFP required the technical proposal to contain "detailed procedures depicting the system

configuration, removing the existing equipment, installing, and testing and acceptance for the equipment/system solution being offered." The RFP provided that assuring that the proposed equipment solution meets the stated requirements contained in the specifications and the technical approach for equipment installation were of equal importance. Award was to be made to the lowest priced, technically acceptable offeror.

Five proposals were received and, as a result of the technical evaluation, only GTE's proposal was determined technically unacceptable. GTE's proposal was found technically unacceptable essentially because GTE failed to submit a meaningful technical proposal. The protester submitted an abbreviated offer, identified in its cover letter as a "quotation," which does not address all of the requirements stated in the solicitation, does not contain a completed pricing schedule, and does not provide any technical approach for installation. Rather, GTE's submittal contained a listing of the specification requirements and the word "comply" next to a majority of them, accompanied by a price list of the equipment GTE offers. The equipment prices offered by GTE did not include transportation costs, as called for by the RFP, and GTE's maintenance pricing is on a time and material plus travel expense basis, while the solicitation requires an all-inclusive, fixed-monthly maintenance price. GTE's submittal also included some descriptive data concerning its equipment.

GTE protests the agency's determination that its technical proposal is unacceptable, arguing that it always follows the manufacturer installation and test plan recommendations in the equipment manuals and that there was sufficient data included in its "quotation" for an experienced engineer to determine its technical approach.

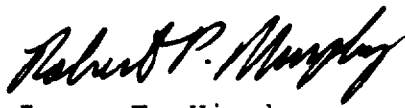
The burden is on the offeror to submit an initial proposal that is written adequately and affirmatively demonstrates its merits, and an offeror runs the risk of having its proposal rejected if it does not do so. DRT Assocs., Inc., B-237070, Jan. 11, 1990, 90-1 CPD ¶ 47. In reviewing the rejection of a proposal as technically unacceptable for informational deficiencies, we examine the record to determine, among other things, whether the RFP called for detailed information and the nature of the informational deficiencies. BioClean Medical Sys., Inc., B-239906, Aug. 17, 1990, 90-2 CPD ¶ 142. Here, the RFP required the submission of a technical approach for equipment installation, including a detailed test plan, and in response to this requirement, GTE submitted nothing. GTE's explanation in its comments on the agency report, is merely that it "always follows the manufacturer installation and test plan recommendations in the equipment manual," and that its proposal contained "specific remarks as to the

installation philosophy in terms of the possibility to use existing equipment . . . to reduce the project cost impact."

These "remarks" and the equipment manual (which GTE only supplied in its comments on the agency report) do not constitute a sufficiently detailed technical approach for the agency to evaluate the technical acceptability of GTE's proposal. Since GTE's proposal failed to provide required technical information concerning installation, and would have required complete revision in order to permit the agency to assess whether GTE's technical approach satisfied the agency's minimum needs, the agency reasonably rejected GTE's proposal as technically unacceptable. See Halter Marine, Inc., B-239119, Aug. 2, 1990, 90-2 CPD ¶ 95.

In its comments on the agency report, GTE argues, at length, that its quotation offered a more economical alternative and points out numerous areas where it could lower its price so that it would be the low offeror. Since the contracting officer reasonably concluded, however, that GTE's proposal was technically unacceptable, whether its price could possibly be considered low is not relevant. See W.N. Hunter & Assocs; Cajal Defense Support Co., B-237259; B-237259.2, Jan. 12, 1990, 90-1 CPD ¶ 52.

The protest is denied.


for James F. Hinchman
General Counsel