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Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Reliable System Services Corp.

File: B-248126

Date: July 28, 1992

Tony Perez-Falcon for the protester.
Timothy A. Beyland, Department of the Air Force, for the agency.
Stephen J. Gary, Esq., David Ashen, Esq., and John M. Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of this decision.

DIGEST

Agency reasonably eliminated proposal (for an automated tracking telemetry antenna system) from the competitive range where the proposal was technically unacceptable as a result of its failure to address essential, material specification requirements and was not susceptible of being made acceptable without major revisions.

DECISION

Reliable System Services Corp. protests the exclusion of its proposal from the competitive range under request for proposals (RFP) No. F04611-91-R-0041, issued by the Department of the Air Force for an automatic tracking telemetry antenna system. Reliable asserts that the agency improperly found its proposal technically unacceptable.

We deny the protest.

The solicitation called for the design and installation of an automated tracking telemetry antenna system for the Flight Test Center at Edwards Air Force Base, California. The system will receive in-flight data from aircraft undergoing tests and transmit the data digitally to flight test computers. The RFP specified placement of the system antenna on a platform to be constructed by the contractor on a hangar roof; the antenna will be controlled remotely from an operations center in another building. The solicitation required offerors to demonstrate the proposed system's performance, flexibility, reliability and maintainability, and describe the standards and practices to be used in installation. In addition, offerors were instructed to provide a "task-by-task correlation, by paragraph number,

between the Statement of Work and the . . . proposal." The RFP provided for the evaluation of proposals in three areas: technical, resources and management, and price; the technical area was most important, and the remaining areas were of equal importance. The technical area encompassed criteria for risk minimization (percentage of the system that had already been developed and tested), compliance with requirements, and equipment performance.

Three proposals were received in response to the solicitation, two of which were found technically acceptable. The agency determined that Reliable's proposal was technically unacceptable because it failed to address major areas of the Statement of Work (SOW) and, in other areas, provided insufficient information to evaluate the firm's technical capabilities. The agency concluded that the proposal failed to demonstrate that Reliable understood the RFP requirements, and would require major revisions to become acceptable. After being advised that its proposal had not been included in the competitive range, Reliable filed this protest.

Reliable generally asserts that its proposal was susceptible of being made acceptable and, therefore, that the firm should have been included in the competitive range so it would have an opportunity to correct any perceived deficiencies.

The purpose of a competitive range determination is to select those offerors with which the contracting agency will hold written or oral discussions. Federal Acquisition Regulation (FAR) § 15.609(a); Lincoln Property Co., B-247664, May 22, 1992, 92-1 CPD ¶ 469; Anthony Hernandez, CPA, P.C., B-246104, Feb. 4, 1992, 92-1 CPD ¶ 146. The competitive range is to be determined on the basis of factors stated in the solicitation, and is to include all proposals that have a reasonable chance of being selected for award. FAR § 15.609(a). An agency properly may exclude a proposal from the competitive range where it reasonably determines that the proposal has no reasonable chance of being selected for award and would require major revisions to be acceptable. Lincoln Property Co., supra; Stat-a-Matrix, Inc. et al., B-234141 et al., May 17, 1989, 89-1 CPD ¶ 472. Where a protester challenges such a determination, our review is generally limited to ensuring that the agency's evaluation had a reasonable basis. American Contract Health, Inc., B-236544.2, Jan. 17, 1990, 90-1 CPD ¶ 59.

We find that the Air Force reasonably concluded that Reliable's proposal was technically unacceptable and would require major revision in order to become acceptable. As noted above, the RFP required that the roof-mounted antenna

be located on a building separate from the operations control center; the solicitation required the contractor to install cables to connect the antenna to the operations control center equipment, including receivers and operator displays. In addition, the RFP included detailed specifications covering the remote control equipment to be provided. Air Force evaluators found that Reliable's proposal failed to adequately describe the proposed fiber optic transmission approach and failed to specifically address the detailed requirements for the operating center controls and displays. As a result of the lack of information, the agency was unable to perform a meaningful evaluation of the proposed system in these areas. The agency considered Reliable's failure to adequately address these requirements a particularly significant deficiency with respect to the capability to control the antenna remotely, which is fundamental to the operation of the entire system, because: (1) Reliable lacks experience in the integration of the proposed wide band fiber optics transmission system with a telemetry antenna system; and (2) the processing required to control an antenna dish in a dynamic flight test environment is quite intensive. Our review of the record confirms that the remote control requirements were central to the specified system, and that Reliable's proposal failed to address them.

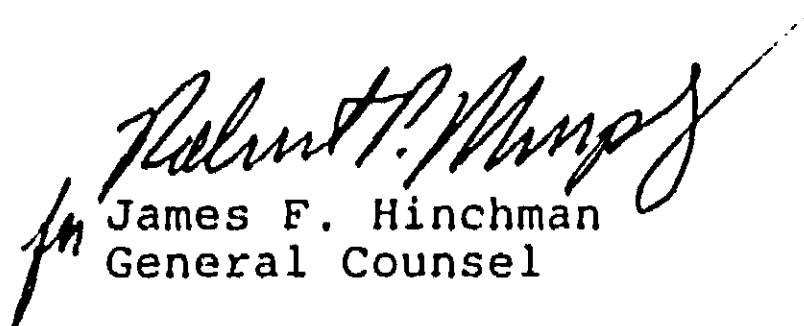
The Air Force also found Reliable's proposal unacceptable with respect to its discussion of antenna platform design and construction. The SOW contained detailed specifications concerning the required structural strength and earthquake resistance of the antenna platform; in addition, the agency provided prospective offerors both detailed construction drawings of the hangar on which the platform was to be installed, and an opportunity to visit the base and examine the installation site. The agency evaluators found, and our review confirms, that although Reliable's proposal included two sketches of the proposed platform, it provided no data relating to structural design, integrity, earthquake protection, dynamic loading, or any of the other parameters specified in the RFP. According to the agency, compliance with the specifications for constructing the platform was particularly important in view of the base's location in a seismic zone. Reliable has not attempted to rebut the agency's views as to the importance of the requirements or its determination of noncompliance.

The Air Force further found that Reliable's proposal failed to demonstrate compliance with SOW requirements that the proposed system: (1) receive signals without undue interference from radio frequency waves in the environment (radio frequency interference); (2) be designed to preclude the indiscriminate transmission of classified test flight data over generally accessible radio frequencies

(electromagnetic emissions); and (3) meet certain antenna sensitivity standards. Again, Reliable has not specifically disputed the agency's determination that its proposal was noncompliant with the radio frequency interference and electromagnetic emission requirements. Although Reliable initially challenged the agency's assessment concerning the sensitivity of the antenna system, after the Air Force explained its findings in more detail in a supplemental report, Reliable abandoned its objection to this aspect of the evaluation by failing to comment on it. See D.E.W. Mgmt. Servs., Inc., B-246761; B-246761.2, Apr. 1, 1992, 92-1 CPD ¶ 334. We have examined the agency's evaluation of these areas and find it to be reasonable.

In sum, the record shows that Reliable failed to provide in its proposal the information required to demonstrate compliance with material specification requirements, and that, on this basis, the Air Force reasonably concluded that Reliable's proposal could not be made acceptable without major revisions. In these circumstances, the agency reasonably eliminated Reliable's proposal from the competitive range. See Lincoln Property Co., supra.; Stat-a-Matrix, Inc. et al., B-234141 et al., May 17, 1989, 89-1 CPD ¶ 472.

The protest is denied.


James F. Hinchman
General Counsel