



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Allied Management of Texas, Inc.

File: B-249086

Date: October 19, 1992

Robert C. Howell, Esq., for the protester.
Charles A. Gass for Apex Consulting Engineers, Chester R. Love for Management Services and Deborah A. Gerhards for RSI, interested parties.
Timothy A. Beyland and Major John A. Arrigo, Department of the Air Force, for the agency.
Linda C. Glass, Esq., and Michael R. Golden, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Proposal was properly found technically unacceptable where proposal did not affirmatively demonstrate that the offeror understood the requirements and could provide the required services and a review of the agency's evaluation shows that it was conducted in accordance with the solicitation evaluation criteria.

DECISION

Allied Management of Texas, Inc. (AMT) protests the rejection of its proposal as technically unacceptable under request for proposals (RFP) No. F22608-91-R-0092, issued by the United States Air Force as a total small business set-aside for airfield management services at Columbus Air Force Base, Mississippi. AMT contends that the rejection of its proposal was improper and resulted from a biased evaluation.

We deny the protest.

The RFP, issued on November 8, 1991, was for the award of a firm, fixed-priced contract to provide all personnel, equipment, tools, materials, supervision, and other items and services necessary to perform the airfield management function. This work previously was accomplished by the Air Force. The RFP required offerors to submit proposals using a conventional numbering system that matched their proposal to the appropriate part of the statement of work and containing sufficient details to enable the government to make a thorough evaluation as to the technical competence of the offeror and their ability to perform the services

required. The RFP warned offerors that failure to follow the described format or failure to submit the required information may be cause for rejection of the entire proposal. The RFP listed the following award criteria: (1) comprehension of requirements; (2) organization and staffing; (3) contract management; and (4) experience. Award was to be made to the low, technically acceptable firm.

Several proposals were received in response to the RFP. The initial technical evaluation of AMT's offer resulted in an overall rating of susceptible to being made acceptable. The agency reports that AMT's proposal was essentially included in the competitive range because of its low price. Based upon its lack of completeness and upon its weakness in the area of comprehension of requirements, the Air Force had concerns as to whether AMT could satisfy the government's requirements. For example, the Air Force determined that AMT in its initial proposal failed to provide a phase-in plan as required under comprehension of requirements, proposed inadequate manhours for Flight Data Specialists, generally proposed inadequate manpower for performance of the requirement and did not appear to understand the mission.

By letter dated May 27, 1992, the Air Force conducted written discussions with AMT and requested clarification of certain portions of AMT's proposal by May 29. AMT was subsequently granted an extension until June 1, to respond to the clarification requests. After the evaluation of AMT's responses to the clarification request, the agency determined AMT's proposal to be unacceptable because AMT failed to demonstrate a thorough understanding of the requirements or that it could provide the services. AMT received notification of its rejection on June 11, and filed its protest with our Office on June 17.

AMT disagrees with the evaluation of its proposal. AMT maintains that its proposal and the revisions in response to the government's request for clarifications was a full and complete, technically acceptable proposal.

In reviewing protests against an agency's allegedly improper technical evaluation and decision to eliminate a proposal from further consideration for award, we examine the record to determine whether the agency's judgment was reasonable and consistent with the stated evaluation criteria and applicable statutes and regulations. See ESC Corp., B-232037, Nov. 23, 1988, 88-2 CPD ¶ 507.

We conclude that the evaluation was conducted in accordance with the stated evaluation criteria, and we find reasonable the contracting officer's conclusion that AMT failed to

correct the material deficiencies in its initial proposal during discussions and that AMT did not submit an acceptable proposal.

For example, AMT in its initial proposal did not provide a phase-in plan as required by the solicitation for evaluation under comprehension of requirements. As noted above, the Air Force was transferring its management responsibilities to a private contractor. The solicitation specifically required offerors to prepare and submit a phase-in plan with their proposals which was to cover a 60-day period and provide for the offeror's transition period for hiring, relocation and training of personnel and coordination of all phase-in matters associated with the gradual takeover of airfield management/base operations. The agency sought assurance that there would be a smooth transition of responsibility during the first critical weeks of phase-in and that airfield flying operations would not be interrupted during the 60-day phase-in period. During discussions, AMT was asked to produce its phase-in plan. AMT responded that its phase-in plan was located on page one of its technical proposal. However, AMT's proposal merely contained a start-up schedule chart with little detail concerning the phase-in period and only covered 30 days of the phase-in period. The Air Force reasonably considered that the information was insufficient to establish that AMT would provide for a smooth phase-in without disruption of airfield operations.

Under organization and staffing, the solicitation required two qualified Flight Data Assistants with at least 1 year experience in airfield management or air traffic control to be on duty during base operations operating hours. In AMT's initial proposal, there were periods of time in the work schedule for Flight Data Assistants where only one Flight Data Assistant was available. In discussions, AMT was requested to submit a proposed work schedule for these individuals for any given workday. AMT submitted a work schedule that still contained gaps in the work schedule for Flight Data Assistants during operating hours. AMT in its protest contends that its response to the clarification request provided for two Flight Data Specialists on duty at all required times. However, we have reviewed AMT's manning chart and conclude that this is not the case. For example, there is only one person on duty in the early morning hours. Also, there is only one person on duty at shift change times because the Flight Data Assistants do not change shifts together. The protester proposed that the Assistant Air Field Manager work as a Flight Data Assistant to cover the lunch breaks of the Flight Data Assistants as well as shift changes which the Air Force considered unacceptable because the Assistant Air Field Manager has his own duties during these periods of times. We find the agency reasonably found that AMT's Flight Data Assistant manning was unacceptable

and that AMT's proposal showed lack of understanding of the need to provide full staffing during base operating hours.

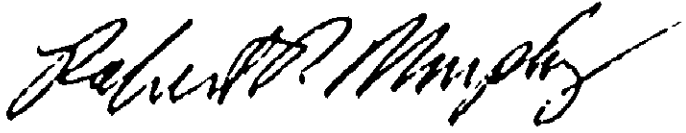
Further, AMT in its initial proposal did not submit a name or a resume for the key position of Assistant Air Field Manager as required by the solicitation. The Assistant Airfield Manager is a key person who must demonstrate knowledge of airfield management and Federal Aviation Administration regulations and procedures, receipt, handling, and processing of flight plans and flight movement references; inspection of airfield facilities and other pertinent duties involved in the operation of an airfield. In response to discussions, AMT submitted the resume of a proposed Assistant Air Field Manager who did not have the required 18 months experience as an Assistant Airfield Manager and/or Base Operations Supervisor/Flight Data Supervisor. While the resume stated that the individual had supervisory experience, it did not state what type and it made no mention of airfield management experience. The resume showed that the individual was an Aircraft Operations Dispatcher at Bergstrom Air Force Base. The agency contacted Bergstrom and was told that the individual did not have supervisory experience and was merely a Flight Data Specialist at Bergstrom. AMT in its protest does not rebut the agency's position that its proposed Assistant Air Field Manager does not have supervisory experience at Bergstrom but simply states that the individual does have the required 18 months supervisory experience from a prior assignment without stating where. It is incumbent on an offeror to submit sufficient information in its proposal to demonstrate its acceptability. Intelcom Support Servs., Inc., B-225600, May 7, 1987, 87-1 CPD ¶ 487. AMT simply did not provide sufficient information in its proposal to demonstrate the acceptability of its proposed Assistant Airfield manager.

The record shows that the agency reasonably considered the materials submitted by AMT in response to discussions. The record further shows that in those instances where the agency determined that AMT's response was sufficient, the agency upgraded that part of AMT's proposal from unacceptable to acceptable. However, for the most part, AMT improved its proposal in areas that were not material and that had a minimum impact on the acceptability of its proposal. For example, AMT proposed a full-time secretary where it initially only proposed a part-time secretary and clarified language in its proposal to show that its proposed Airfield Manager had the authority required by the statement of work. The agency reasonably concluded that AMT in its proposal did not provide a detailed phase-in plan and failed to propose enough manhours or individuals with the necessary qualifications to perform the requirements and that its failure showed a lack of understanding of the contract requirements. We find nothing improper in the Air Force

evaluation which the record shows was conducted in accordance with the RFP's stated criteria.

AMT in its initial protest alleged that the Air Force rejected its offer because the Air Force always intended to award to a particular offeror. The agency in its report denies the allegation and states that the firm in question did not submit a proposal under this solicitation. In its comments to the agency report, AMT suggests that the Air Force intended to favor yet another contractor which did submit an offer. In our view, the agency's finding that AMT's proposal was unacceptable was reasonable. We find no evidence that the agency's decision to reject AMT's proposal was influenced by favoritism towards another contractor.

The protest is denied.


for James F. Hinchman
General Counsel