



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Good Food Services, Inc.

**File:** B-244528.3

**Date:** December 30, 1992

Pamela J. Mazza, Esq., and Andrew P. Hallowell, Esq., Piliero, Mazza & Pargament, for the protester. Keith L. Baker, Esq., Eckert, Seamans, Cherin & Mellott, for Son's Quality Food Company, an interested party. Joseph M. Goldstein, Esq., and Paul D. Warring, Esq., Department of the Air Force, for the agency. Catherine M. Evans, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

### DIGEST

Where General Accounting Office (GAO) sustained protest on basis that protester's proposal was misevaluated, GAO will not consider awardee's subsequent protest that original protester could not meet solicitation's experience requirement, since this argument should have been raised during consideration of the initial protest.

### DECISION

Good Food Services, Inc. protests the award of a contract to Son's Quality Food Company under request for proposals (RFP) No. F49642-91-R-0502, issued by the Department of the Air Force for food services at Bolling Air Force Base (AFB). Good Food contends that the Air Force misevaluated the proposals by awarding Son's inflated scores under the most important evaluation factors.

We dismiss the protest.

This protest follows an earlier protest by Son's challenging the Air Force's decision to award the contract to Good Food. We sustained Son's protest, finding that the Air Force had misevaluated Son's proposal and failed to conduct adequate discussions with the firm. We recommended that the Air Force reopen negotiations with Son's and Good Food, and then reevaluate their proposals. Son's Quality Food Co., B-244528.2, Nov. 4, 1991, 91-2 CPD ¶ 424. The Air Force followed our recommendation, and concluded that Son's was entitled to the award; Good Food then filed this protest.

Good Food, which did not enter an appearance as an interested party during Son's protest, now asserts that the award to Son's was improper because Son's does not have the experience required by the RFP. In this regard, section L.16(c) of the RFP required that offerors:

"Provide detailed evidence that the firm has the capability to provide full food service. The firm should have at least three years experience in the food service field."

Good Food notes that most of the experience listed in Son's proposal was in mess attendant services rather than full food service, and that the only full food service contracts listed are less than 2 years old. Good Food concludes that Son's proposal was misevaluated and that the firm is not eligible for the award because it does not have at least 3 years experience in full food service.

We will not consider this argument. Our Bid Protest Regulations provide interested parties the opportunity to participate in the protest process, thus ensuring that our decision on the matter will address all relevant information and issues. See 4 C.F.R. §§ 21.0(b) and 21.3(a) (1992); Woodington Corp.--Recon., B-235957.2, Nov. 15, 1989, 89-2 CPD ¶ 461. Accordingly, interested parties are expected to exercise due diligence in presenting their respective positions during the protest process. See Techniarts Eng'g, B-238520.5; B-238520.6, Dec. 31, 1991, 92-1 CPD ¶ 20. They may not present available information in a piecemeal fashion through the filing of a separate protest after resolution of the first protest. Id.

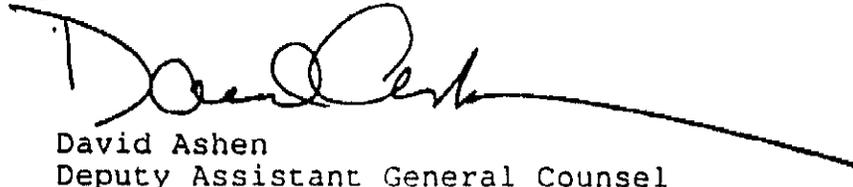
The issue of Son's experience was fully developed in the record of the initial protest, in which Son's had questioned the agency's evaluation of its experience and argued that it had substantial relevant experience. Although Good Food did not submit its views as an interested party to the protest, it had the opportunity to do so. In particular, Good Food had the opportunity to rebut Son's position regarding the agency's evaluation of its experience, and to argue that Son's could not meet the 3-year experience requirement. Nor did Good Food request reconsideration of our decision, in which we found that the Air Force had improperly

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Good Food's protest also advanced other allegations concerning the propriety of the reevaluation. As Good Food did not take issue with the agency's response in the administrative report to those arguments, but instead addressed only the food service experience requirement, we deem the other issues abandoned. See Universal Hydraulics, Inc., B-235006, June 21, 1989, 89-1 CPD ¶ 585.

downgraded Son's proposal under the corporate experience evaluation factor.<sup>2</sup> But cf. St. Patrick Hospital--Recon., B-242396.2, July 3, 1991, 91-2 CPD ¶ 17 (contractor adversely affected by GAO decision is not eligible to request reconsideration where the firm was aware of the original protest but did not participate in the protest proceedings). Failure to make all arguments or submit all information available during the course of the initial protest undermines the goals of our bid protest process to produce fair and equitable decisions based on consideration of all parties' arguments on a fully developed record. See Techniarts Eng'g, supra. In view of Good Food's failure to exercise due diligence in raising its challenge to Son's compliance with the food service experience requirement, we will not consider this argument.<sup>3</sup> Id.

The protest is dismissed.



David Ashen  
Deputy Assistant General Counsel

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<sup>2</sup>While the record does not establish exactly when Good Food received a copy of our decision, it is clear that Good Food was aware of the contents of the decision early in 1992, when it filed a Freedom of Information Act request with our Office seeking to obtain portions of Son's proposal.

<sup>3</sup>In any case, we note that the record indicates that in addition to Son's less than 2 years of experience in performing full food service for the government, Son's possessed 6 years of experience in the catering and restaurant business; this latter experience, which was discussed in Son's proposal, was noted in the evaluation and in our prior decision.