



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

## Decision

**Matter of:** Primetec Inc.

**File:** B-250018

**Date:** December 30, 1992

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Paul L. SanGiovanni, Esq., Baker & Hostetler, for the protester.  
Barry Dean, Esq., and Vera Meza, Esq., Department of the Army, for the agency.  
C. Douglas McArthur, Esq., and Michael R. Golden, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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### DIGEST

Where protester failed to furnish required narrative demonstrating the computer science expertise needed to conduct analyses and provide solutions to problem areas concerning the manufacturing, inspection, testing and packaging of the products solicited, rejection of its low offer as technically unacceptable was reasonable and consistent with the solicitation.

### DECISION

Primetec Inc. protests the rejection of its proposal under request for proposals (RFP) No. DAAA21-91-R-0123, issued by the U.S. Army Armament Research, Development and Engineering Center. The protester contends that the agency unreasonably found its proposal to be technically unacceptable.

We deny the protest.

On December 6, 1991, the agency issued the solicitation for a firm, fixed-price contract for production and delivery of 130 M139 Volcano multiple delivery mine systems, hardware, including a mounting kit for use on the M548A ground vehicle, and maintenance self-testers. The solicitation provided for award to the low, technically acceptable offeror and listed the following factors for consideration in evaluation of technical proposals: related previous

experience, understanding of technical data package (TDP) and data requirements, understanding of first article testing requirements, technical capabilities, and vendor/subcontractor control.

Under technical capabilities, the RFP required firms to furnish a:

"narrative description of demonstrated technical expertise in the mechanical, electronic, computer science and testing areas needed to conduct analyses and provide solutions to problem areas to sufficiently support the manufacturing, inspection, testing and packaging. Also, provide demonstrated ability in using development tools such as CAD/CAM system, Hewlett Packard (HP) or generic equivalent development system for 6802 microprocessor. . . ."

The agency received six offers on March 17, 1992. In its initial evaluation, the agency found the protester unacceptable in four of the five technical areas, including understanding of first article test requirements and technical capabilities. Evaluators advised the contracting officer that among other deficiencies in the area of technical capabilities, the protester had failed to provide any narrative regarding its demonstrated technical expertise in the computer science area for conducting analyses and providing solutions to problems to support manufacturing, inspection, test, and packaging.

The agency held discussions with the protester on June 16 and advised the protester of its deficiencies. The record shows that the agency advised the protester that the list of prime contracts in its proposal contained insufficient detail for evaluators to judge the protester's ability to produce microprocessor-controlled electronic assemblies. The protester questioned whether it would encounter problems requiring analyses in the area of computer science, since the solicitation was not for research and development effort. Although the agency generally agreed, the solicitation was the first for production of the mine dispenser for mounting on the M548, and the agency advised the protester that it needed Primetec to show an understanding of the problems that might be encountered as well as to supply an explanation of how it might go about analyzing and solving such problems.

The agency incorporated the substance of these discussions into a letter dated June 22, in which it advised the protester that it had failed to describe its technical expertise in computer science and that to be found acceptable for computer science expertise, Primetec should

narrate its expertise with regard to resolution of problems that might surface during manufacturing, inspection, testing, and packaging.

The protester submitted its best and final offer (BAFO) on July 6. Evaluators advised the contracting officer that they still considered the proposal unacceptable in the area of technical capabilities. Specifically, evaluators advised that with regard to technical capability, the protester had not provided any narrative regarding its computer science expertise and, in their view, that the proposal was unacceptable. On August 13, the agency awarded a contract to Brunswick Corporation as the low technically acceptable offeror. This protest followed.<sup>1</sup>

The protester argues that its proposal is acceptable and that as low offeror, it is entitled to award. The protester contends that even if it did not provide a specific section devoted to computer science in its proposal, there is ample discussion of computer science expertise in other portions of the BAFO provided in response to the agency's discussion questions. The protester asserts that the information in its proposal was sufficient to show the required level of expertise, which requires only the assembly, testing, and inspection of government-provided memory chips. Regarding problems, the protester simply maintains that as stated in its proposal, it does not believe there are major problems to be anticipated during manufacture, inspection, and testing, and that it did address one minor problem stemming from the replacement of one military standard specification with another.

In reviewing protests against an agency's technical evaluation and decision to eliminate a proposal from consideration for award, we review the record to determine whether the agency's judgments were reasonable, supported by the record, and in accordance with the listed evaluation criteria, and whether there were any violations of procurement statutes or regulations. CTA, Inc., B-244475.2, Oct. 23, 1991, 91-2 CPD ¶ 360. We find that the record here does not support the protester's contention that the evaluation was unreasonable.

The agency explains that, while a computer scientist might not be needed in the absence of problems in manufacturing, the contractor must possess the ability, if needed, to assemble, test, debug and troubleshoot the microprocessor-controlled assembly to sufficiently support the manufacturing, inspection, testing and packaging. Therefore, the

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<sup>1</sup>The protester's unacceptable offer was only slightly lower than the awardee's offer.

contract requires computer science expertise. The agency further states that the reference to computer science expertise must be read in connection with the drawings and specifications referenced in the solicitation, which govern fabrication and testing of the control unit for the mine dispenser. These specifications, the agency maintains, demonstrate an offeror's need not only for expertise in the assembly and testing of memory chips, but for experience with computer architecture, ciphering of computer machine languages, developing microprocessor command sets and deriving algorithms. The relevance of the experience cited in the protester's proposal was not clear to evaluators and the evaluators believed that the protester's failure to acknowledge the potential need for computer science expertise in producing the item demonstrated a fundamental lack of understanding of what would be necessary to produce the item.

We find reasonable the agency's determination that the protester did not demonstrate its understanding of the need for computer science expertise and of the possible production difficulties which might occur if such expertise were unavailable. The solicitation contained a preproduction engineering requirement warning of the potential for gaps in the drawings and specifications as well as the need for some design effort, requiring the contractor to review the TDP for potential deficiencies prior to production. The protester's proposal simply did not adequately demonstrate the protester's expertise to deal with problem finding and failure analysis of defective components, defective software, improper loading of software, or failure analysis. Even if ultimately no problems requiring computer science expertise arise during manufacturing, the agency reasonably believed that such problems could occur.

We conclude from the record that the agency appropriately requested in discussions that the protester demonstrate its understanding and its expertise to address such problems since any problem with the microprocessor control unit would materially affect the firm's ability to produce the item. The record shows that the protester provided no specific discussion of computer science expertise in its proposal, and to the extent that other portions of the proposal showed some experience in the area, there is still no analysis of potential problems and the protester's capability to respond to them as requested by the agency during discussions.

Based on the record before us, we find that the agency's technical evaluation in this case was reasonable and consistent with the evaluation criteria.<sup>2</sup>

The protester also objects to the agency's conclusion that it did not demonstrate an understanding of first article requirements in its proposal. As stated above, the RFP provided for award to the low, acceptable offeror. Since the protester's failure to provide an acceptable narrative to demonstrate its problem-solving expertise in the computer science area provided a valid basis for rejecting its proposal as unacceptable, we need not address the question of whether the Army properly found the protester's proposal unacceptable in other areas. Environmental Technologies Group, Inc., 69 Comp. Gen. 193 (1990), 90-1 CPD ¶ 101.

The protest is denied.



James F. Hinchman  
General Counsel

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<sup>2</sup>The protester also argues that the agency's conclusion that its proposal was unacceptable is inconsistent with the preaward survey of the protester's plant which found the protester's technical capability "satisfactory." The record shows that the preaward survey was conducted to evaluate the firm's plant site and to evaluate other responsibility factors, not to support the technical evaluation. In this connection, proposals must generally be evaluated solely on the basis of material contained therein, and information developed during a preaward survey is no substitute for information that should have been included in the technical proposal. SeaArk Marine, Inc., B-248755, Sept. 21, 1992, 92-1 CPD ¶ 193.