



Comptroller General  
of the United States

1240279

Washington, D.C. 20548

## Decision

**Matter of:** Information Technology Solutions, Inc.

**File:** B-254438

**Date:** September 27, 1993

Richard J. DeBastiani for the protester.  
Peter D. Butt, Esq., Department of the Navy, for the agency.  
Behn Miller, Esq., Office of the General Counsel, GAO,  
participated in the preparation of the decision.

### DIGEST

Protest that evaluation factors were improperly relaxed to permit consideration of other competitors' proposals is dismissed because the General Accounting Office will not entertain arguments that agencies should use more restrictive specifications.

### DECISION

Information Technology Solutions, Inc. (ITSI) protests the agency's decision to relax the evaluation criteria in request for proposals (RFP) No. N00600-93-R-2450, issued by the Department of the Navy for the establishment and operation of the Computer-aided Acquisition and Logistics Support (CALs) Shared Resource Center located in Fairfax, Virginia.

We dismiss the protest because we will not consider claims that specifications should be more restrictive.

The RFP was issued on May 5, 1993, and required offerors to submit a technical proposal, a management proposal, a cost proposal and an "Executive Summary". The solicitation provided that contract award would be made to the "best value" or "most advantageous" offer, cost and other factors considered. With respect to the evaluation of technical proposals, the RFP initially provided that "the proposal will be evaluated with emphasis on CALS knowledge," and set forth several "SPECIFIC CRITERIA" which stressed the significance of specific CALS experience.

The Fairfax CALS Shared Resource Center for which these services are being procured is part of a national CALS program which is being implemented by the Navy and Air Force in accordance with a congressional mandate to establish a national data system to enhance the transfer of technology between the Department of Defense and private industry. The CALS program is relatively new in its implementation; to date, there are only two CALS shared resource centers in operation although at least five more centers are in the process of being established.

The agency reports that under the solicitation criteria as initially written, only a CALS incumbent contractor could qualify for this competition since CALS is a management system specific to the resource centers' operations. However, because other computer acquisition/logistics management experience could equally qualify a prospective contractor to perform this requirement, and since removing the CALS experience criteria would increase competition by allowing non-incumbent contractors to submit proposals, by means of an amendment dated July 27, the agency deleted the "CALS emphasis" evaluation clause as well as the corresponding CALS previous knowledge and CALS experience evaluation factors.<sup>1</sup> In the same amendment, the agency requested best and final offers (BAFOs) from each offeror who had submitted a proposal.

On August 9--shortly after receiving the July 27 amendment which eliminated the CALS experience criteria--ITSI filed this protest with our Office. In its protest, ITSI contends that the agency improperly eliminated the CALS experience evaluation criteria to favor other non-CALS experienced competitors.

Without a showing that competition is restricted, agencies are permitted to determine how best to accommodate their needs, and are entitled to use relaxed specifications when they reasonably conclude that they can increase competition and meet their needs at the same time. See Mine Safety Appliance Co., B-242379.2; B-242379.3, Nov. 27, 1991, 91-2 CPD ¶ 506. Our role in reviewing bid protests is to ensure that the statutory requirements for full and open competition are met, not to consider a protester's assertion that the needs of the agency can only be satisfied under more restrictive specifications than the agency believes necessary. Simula, Inc., B-251749, Feb. 1, 1993, 93-1 CPD ¶ 86. Consequently, our Office will not consider

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<sup>1</sup>The record shows that the RFP's original emphasis on CALS experience was inconsistent with the procurement strategy set forth in the source selection plan.

contentions that specifications should be made more restrictive. Id.

Here, the remedy the protester seeks--to reinstate the CALS experience evaluation factors--would essentially limit the pool of competitors for this requirement to only those incumbents with specific CALS experience. Our review of the protest thus would not promote competition or otherwise enhance the procurement system.

To the extent ITSI argues that the agency's elimination of the CALS evaluation specifications constitutes technical leveling, technical leveling only arises as an issue where the agency helps an offeror to bring its proposal up to the level of the other proposals through successive rounds of discussions. See Federal Acquisition Regulation (FAR) § 15.610(d); Seaspace Corp., B-252476.2, June 14, 1993, 93-1 CPD ¶ 263. In this case, while the agency has determined that less restrictive experience requirements will satisfy its minimum needs, its action provides no basis from which to conclude--or even speculate--that the agency has engaged in technical leveling.

The protest is dismissed.

  
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Assistant General Counsel