



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

# Decision

Matter of: Nunez & Associates  
File: B-258666  
Date: February 10, 1995

Elena G. Nunez for the protester.  
James J. McKay, Interstate Commerce Commission, for the agency.  
Guy R. Pietrovito, Esq., and James A. Spangenberg, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

## DIGEST

Rejection of protester's quote under a small purchase procurement was reasonable where the protester failed to provide required proposed staff information that was specifically requested by the agency.

## DECISION

Nunez & Associates protests the rejection of its quote under request for quotations (RFQ) No. OIG-02, issued by the Interstate Commerce Commission (ICC) Office of the Inspector General, and the ICC's issuance of a purchase order to Williams, Adley & Co. to perform an internal control review.

We deny the protest.

The ICC conducted this procurement pursuant to the small purchase procedures of Federal Acquisition Regulation (FAR) Part 13. The RFQ sought fixed-price quotes for accounting and auditing services. The following technical factors were identified as part of the evaluation to determine the awardee:

- "1. The [contracting officer's technical representative's'] evaluation of the contractor staff resources to be applied that considers skills mix, qualifications and the contractor's previous experience in performing [internal control reviews] of [g]overnment functions.

"2. The [contracting officer's technical representative's] evaluation of how well the contractor understands the contract requirements based upon the proposed work-plan."

The RFQ's instructions identified specific information quoters must provide to be considered for award. In pertinent part, the instructions required quoters to provide:

"a proposed schedule of contractor staff to be assigned to the review that reflects for each staff member: job title, including a brief statement of duties, qualifications and experience." [Emphasis added.]

The ICC received sixteen quotes in response to the RFQ. Eleven quotes were found technically acceptable while five quotes, including Nunez's, were technically unacceptable. The ICC rejected Nunez's quote for, among other things, the protester's failure to identify the duties, qualifications, and experience of its proposed staff members. Nunez argues that its quote provided sufficient information to establish that its quote satisfied the RFQ's requirements.

Small purchase procedures are designed to minimize administrative costs that might otherwise equal or exceed the cost of relatively inexpensive items or services. 41 U.S.C. § 253(g)(1) (1988); General Metals Inc., 72 Comp. Gen. 54 (1992), 92-2 CPD ¶ 319. When using such procedures, an agency must conduct the procurement consistent with a concern for fair and equitable competition and must evaluate quotations in accordance with the terms of the solicitation. Tahoma Co., Inc., B-253371, Sept. 14, 1993, 93-2 CPD ¶ 162. In reviewing protests against an allegedly improper small purchase evaluation, we will examine the record to determine whether the agency met this standard and reasonably exercised its discretion. Tony's Fine Foods, B-254959.2; B-254961.2, Jan. 31, 1994, 94-1 CPD ¶ 51.

The record establishes that the agency's evaluation was consistent with the RFQ and that the rejection of Nunez's quote as technically unacceptable was reasonable. Nunez's quote identified the firm's proposed "engagement" partner and manager, and provided resumes for these two individuals. For the remainder of the protester's proposed audit team, Nunez only provided a generic description of the kinds of educational and work experience its staff would possess. The RFQ, however, required quoters to specifically identify duties, qualifications and experience "for each [proposed] staff member," and informed quoters that proposed staff resources, including their qualifications and skills mix

would be evaluated. Nunez's failure to provide the specific staff information required by the RFQ precluded the agency from assessing the merits of the protester's proposed audit team. Accordingly, we find reasonable the agency's rejection of Nunez's quote as technically unacceptable. See Tahoma Co., Inc., supra.

The protest is denied.

\s\ Paul Lieberman  
for Robert P. Murphy  
General Counsel