



## Decision

**Matter of:** Telos Field Engineering

**File:** B-258805.2

**Date:** April 10, 1995

Timothy Sullivan, Esq., and Martin R. Fischer, Esq., Dykema Gossett, for the protester.  
Capt. Linda M. Vele, and Gregory H. Petkoff, Esq.,  
Department of the Air Force, for the agency.  
Sylvia Schatz, Esq., and John M. Melody, Esq., Office of the  
General Counsel, GAO, participated in the preparation of the  
decision.

### DIGEST

Exclusion of protester's proposal from competitive range was proper where agency reasonably determined that the proposal contained deficiencies that would require major revisions to be considered acceptable.

### DECISION

Telos Field Engineering protests the exclusion of its proposal from the competitive range under request for proposals (RFP) No. F30635-94-R-0037, issued by the Department of the Air Force for computer maintenance services for Digital Equipment Corporation (DEC) hardware systems located at the Griffiss Air Force Base in Rome, New York.

We deny the protest.

The solicitation, issued on March 7, 1994, contemplated the award of a firm, fixed-price contract for a base year with 4 option years. The RFP required offerors to furnish all labor, parts, and materials necessary to maintain DEC hardware in accordance with the statement of work (SOW). The RFP included an equipment list, which contained numerous specific items of DEC equipment that offerors were required to maintain.

The RFP required offerors to submit technical, past performance/management, and cost proposals. There were eight equally weighted technical evaluation factors, and three past performance/management factors. Cost proposals were to be evaluated on the basis of the lowest aggregate unit prices which resulted in the lowest cost to the

government; only those proposals considered technically acceptable or deemed capable of being made acceptable would be considered in the cost evaluation. Award was to be made to the responsible offeror submitting the low, technically acceptable offer.

Five proposals were received by the closing date. The technical evaluation team (TET) determined that both Telos's technical and past performance/management proposals contained numerous deficiencies under almost every factor. The contracting officer thus determined that Telos's proposal was technically unacceptable (requiring major revisions to make it acceptable), and excluded the proposal from the competitive range. On October 1, award was made to DEC for \$758,460.

#### MIPS AND ALPHA SYSTEMS

##### Specific Experience and Miscellaneous Factors

Telos challenges the Air Force's downgrading of its proposal under the "specific experience" and "miscellaneous" technical factors on the basis that it failed to include information demonstrating its experience in maintaining ALPHA and MIPS systems. According to Telos, consideration of this experience was improper because the ALPHA and MIPS systems were not specifically identified in the RFP as equipment to be maintained. Alternatively, Telos claims that its proposal contained the required information on the ALPHA and MIPS systems, as the contracts referenced in its proposal demonstrated the firm's experience with all new DEC systems, including the ALPHA and MIPS systems.

Where a dispute exists as to the meaning of solicitation language, we resolve the matter by reading the solicitation as a whole and in a manner that gives effect to all provisions of the solicitation. See ARINC Research Corp., B-248338, Aug. 19, 1992, 92-2 CPD ¶ 172.

Although the solicitation does not specifically refer to ALPHA and MIPS either in the solicitation's list of the equipment required to be maintained or otherwise, we think it should have been clear that this equipment was covered by the RFP. In this regard, in an affidavit submitted with the agency report, a TET member states, and the protester does

---

<sup>1</sup>MIPS technology refers to a series of workstations and servers based on microprocessors manufactured by MIPS, Inc. ALPHA technology refers to a range of computer systems, including personal systems, workstations and servers, multiprocessor systems, and mainframe class systems, that are based on microprocessor products manufactured by DEC.

not dispute, that the MIPS system is known industrywide as DECSTATIONS and DECSYSTEMS within the DEC product line. The solicitation is unambiguous in requiring offerors to have experience in maintenance of DECSTATIONS and DECSYSTEMS which, according to the agency, comprise more than 25 percent of the systems to be maintained under the contract. In this regard, under the miscellaneous factor the contractor was required to "handle maintenance on all of the OEM's computer equipment," and "DECSTATION 5000/200 systems" and "DECSTATION 3100 systems" were listed as examples. Similarly, the specific experience factor required the contractor to "have specific experience with" DECSTATION 3100 systems and DECSTATION 5000/200 systems. The equipment list also identified numerous DECSTATIONS. Thus, Telos was on notice that experience on MIPS equipment would be considered.

As for the ALPHA equipment, the Air Force states (and Telos again does not dispute) that ALPHA is the widely known core technology for DEC's current and future computer systems, and that DEC has been shipping ALPHA-based systems since 1992. Although the Air Force currently has ALPHA-based systems at the site, the agency explains that it did not include specific references to the ALPHA-based systems in the RFP because the warranty period for this equipment had not expired at the time of solicitation issuance. In lieu of such a specific reference, the agency included under the miscellaneous factor a requirement that the contractor "handle maintenance on all of [DEC's] computer equipment . . ." and a provision (section 6.0 of the SOW) calling for extended maintenance periods and reduced response time for "other systems (either newly acquired or from the current inventory)." Further, section 3.3 of the SOW stated that the contractor was required to maintain "any new equipment added to systems under this contract, and also to maintain new systems, and equipment added to this contract, providing the equipment is of a similar or compatible type."

We think these references to current and future DEC equipment were sufficient to put Telos and other offerors on notice that the equipment to be maintained was not limited to the equipment listed in the RFP. Given that ALPHA is the core technology for DEC systems, we do not think it was unreasonable for the agency to expect Telos and other offerors to understand that ALPHA systems were currently at the site or would be purchased in the future, and that experience maintaining ALPHA systems therefore would be considered.

Telos's assertion that the contracts referenced in its proposal demonstrated experience with ALPHA and MIPS equipment is unsupported. We find no reference to ALPHA or MIPS, and Telos does not cite any specific areas of its

proposal addressing this equipment. We conclude that the agency reasonably determined that Telos's proposal did not demonstrate experience with ALPHA or MIPS.

#### Diagnostic Capabilities Factor

Telos maintains that rejection of its proposal on the basis that it failed to identify diagnostic maintenance procedures and diagnostic software for use on the MIPS and ALPHA systems was improper, because the RFP did not identify these specific systems as required for diagnosis. As discussed above, however, we believe offerors were on adequate notice that MIPS and ALPHA systems were, or would be, on the site and would require maintenance. The diagnostic capabilities factor stated, in relevant part, as follows: "[d]oes the contractor possess the OEM [original equipment manufacturer] required maintenance aids and test equipment to adequately service the maintained equipment? . . ." It therefore was reasonable to consider Telos's proposed diagnostics and other maintenance aids.

The agency also downgraded Telos's proposal for failing to propose diagnostic software for the PDP-11 system. Telos claims this too was unreasonable, but the equipment list specifically identified the "PDP 11/34A-XE computer system" and the "PDP 11/84 system"; it thus was proper to consider whether Telos had proposed diagnostics for the PDP-11 systems. Telos maintains that its proposed PARSE diagnostic software can be used on the PDP-11 system. However, Telos's proposal does not indicate that the PARSE software was being offered as diagnostics for the PDP-11 systems; in contrast, the TET found other offerors' proposal of PARSE software acceptable because their proposals clearly stated that they were offering PARSE in conjunction with the OEM diagnostics for the PDP-11 systems.<sup>2</sup>

#### SPARE PARTS FACTOR

Telos contends that its proposal was improperly downgraded under the "spare parts" factor for proposing an inventory of older spare parts because this fact does not detract from the firm's ability to quickly deliver the required spare

---

<sup>2</sup>In support of its argument concerning the diagnostic capabilities factor, Telos cites the fact that the TET actually stated in its evaluation that Telos's proposed diagnostics were acceptable. However, the selection official is not bound by evaluators' findings where, as here, he disagrees with them based on his reasonable judgment. See Wyle Labs., Inc.; Latecoere Int'l, Inc., 69 Comp. Gen. 648 (1990), 90-2 CPD ¶ 107.

parts to the site; and on the ground that its current inventory does not consist of the optimal mix of equipment and was not organized in kits because these were not requirements under the spare parts factor. Alternatively, Telos maintains that it met the requirement for spare parts kits, since many of its proposed spare parts were organized in kits.

The spare parts factor provided as follows:

"[d]oes the contractor have the ability to supply spare parts when needed? Does the contractor have an adequate reserve of parts and the means to quickly deliver them to the site? Could the contractor replace a complete piece of equipment if need be to incur maximum equipment uptime?"

The TET identified as deficiencies that Telos's proposal listed inventory that was "heavily biased toward older obsolete equipment," and that it contained no spare parts for the more current required MIPS and ALPHA systems; this was viewed as a failure by Telos to demonstrate its ability to supply spare parts for all systems when needed for the contract. The TET also found that Telos's inventory was inadequate to meet the solicitation requirements because it did not include ALPHA and MIPS spare parts. Finally, Telos's proposal was deemed deficient for failing to organize the parts in kits, which the TET believed was necessary to quickly deliver the spare parts to the site.

This aspect of the evaluation was reasonable. On its face, the language under the spare parts factor clearly expressed the agency's interest in the spare parts available, the contractor's ability to furnish spare parts quickly when repairs were needed, and the ability to maintain maximum uptime when making repairs. The concerns expressed by the evaluators regarding this aspect of Telos's proposal fell within these areas of the agency's interest. See Specialized Technical Servs., Inc., B-247489.2, June 11, 1992, 92-1 CPD ¶ 510 (all matters taken into account under a factor need not be specifically identified in the RFP, provided that they are reasonably encompassed within the stated evaluation criteria). Specifically, the type of inventory and the mix of parts reasonably could be expected to affect the ability to furnish parts for certain equipment, as well as the speed with which the contractor can furnish a part for a newer piece of equipment. Similarly, making parts available in kits, rather than individually, reasonably relates to the speed with which parts necessary for a certain repair can be ordered. (Although Telos again asserts generally that many of its proposed spare parts were in fact organized in kits, we find

no references to such kits in its proposal, and Telos does not point to any.)

Telos maintains that its proposal could have been made acceptable through discussions. However, since Telos's proposal was reasonably found to be technically unacceptable, and could not be made acceptable without major revisions, the proposal was properly excluded from the competitive range. Chant Eng'g Co. Inc., B-257125.2, Dec. 19, 1994, 94-2 CPD ¶ 247; Madison Servs., Inc., B-236776, Nov. 17, 1989, 89-2 CPD ¶ 475.

The protest is denied.

\s\ Ronald Berger  
for Robert P. Murphy  
General Counsel