

Benejan



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

Decision

Matter of: Research Associates of Syracuse, Inc.--
Reconsideration
File: B-259470.2
Date: August 8, 1995

DECISION

Research Associates of Syracuse, Inc. (RAS) requests that we reconsider our decision in Research Assocs. of Syracuse, Inc., B-259470, Mar. 28, 1995, 95-1 CPD ¶ 169, in which we denied its protest of the award of a contract to the Syracuse Research Corporation (SRC) under request for proposals (RFP) No. MDA904-95-R-C002, issued by the National Security Agency (NSA) for software electronic engineering and analytic support services. In its protest, RAS argued that the agency had improperly evaluated its proposal, particularly with respect to two of its proposed key personnel.

We deny the request for reconsideration.

The agency issued the RFP on August 2, 1994, contemplating the award of a cost-plus-fixed-fee, level-of-effort contract for a base period with up to two 1-year option periods. The evaluation criteria NSA would apply in evaluating proposals were provided as an attachment to the RFP entitled "EVALUATION CRITERIA FOR PROJECT BASELINER." Proposals were to be evaluated by assigning numerical ratings worth a maximum of 100 weighted points to the evaluation factors and subfactors. In addition, each factor was to be assigned an adjectival rating, based on the extent of the offeror's understanding of the RFP's requirements; the appropriateness of the offeror's proposed method/approach; completeness of the proposal; and proposal risk. Cost was to be evaluated separately.¹ The most important evaluation criterion was the technical area, which included the following subfactors in descending order of importance: personnel assigned, technical approach, and technical support.

RAS' proposal received a rating of only "minimal" under the "personnel assigned" and "technical approach" subfactors, and "excellent" under the "technical support" subfactor, for

¹In our prior decision, we concluded that the agency's cost evaluation was reasonable. RAS does not take issue with this aspect of our decision.

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an overall adjectival rating of "good" in the technical area. RAS' low ratings in that area were driven primarily by the evaluators' finding that RAS had proposed two engineers--considered key personnel--who did not meet the RFP's minimum qualifications and experience requirements, and were therefore considered "unacceptable" for their respective proposed positions.

In its protest to our Office, RAS argued that NSA improperly concluded that its two proposed engineers were unacceptable. We reviewed the record in light of that allegation and concluded that the agency evaluated RAS' proposal in accordance with the evaluation criteria announced in the RFP, and that the record reasonably supported the lower technical rating assigned RAS' proposal. In its reconsideration request, RAS essentially disagrees with our conclusion and repeats its arguments that the agency unreasonably downgraded its proposal for its key personnel.

The RFP unambiguously required the contractor to provide two qualified, experienced, cleared and indoctrinated individuals to fill the full- and part-time engineer positions at the time of award. One key individual RAS proposed did not meet the RFP's experience requirement; did not have the required security clearance or indoctrination; and was not available to staff the contract at the time of award. With respect to the second key individual--who apparently was found acceptable for the previous RAS contract, which RAS argues had identical experience requirements--RAS did not provide sufficient information in its proposal to convince the evaluation team that this individual had the required experience. Given the emphasis on providing key personnel that met the RFP's minimum requirements by the time of award, we concluded that the evaluators reasonably found these key individuals were "unacceptable" for the labor categories for which they were proposed and downgraded the protester's proposal accordingly. The protester has not presented any argument or evidence that warrants a different conclusion.

Under our Bid Protest Regulations, to obtain reconsideration, the requesting party must show that our prior decision may contain either errors of fact or law or present information not previously considered that warrants reversal or modification of our decision. 4 C.F.R. § 21.12(a) (1995). RAS' repetition of arguments made during

our consideration of the original protest and mere disagreement with our decision do not meet this standard. R.E. Scherrer, Inc.--Recon., B-231101.3, Sept. 21, 1988, 88-2 CPD ¶ 274.

The request for reconsideration is denied.

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