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## Decision

**Matter of:** Geotech Environmental Services, Inc.

**File:** B-415035

**Date:** November 8, 2017

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### DIGEST

Protest that agency was required to seek further clarification before rejecting the protester's proposal as unacceptable is denied where the agency identified a material omission from the protester's technical proposal during discussions but the protester's final revised proposal did not address the omission.

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### DECISION

Geotech Environmental Services, Inc., a small business located in Addison, Illinois, protests the rejection of its proposal and the award of a contract to Wadsworth Builders Company, Inc., of Great Falls, Montana, under request for proposals (RFP) No. FA4626-16-R-0032, issued by the Department of the Air Force to construct water wells at Malmstrom Air Force Base (AFB), Montana. Geotech challenges the evaluation of its technical proposal and contends that the Air Force's exchanges with Geotech were flawed.

We deny the protest.

### BACKGROUND

The RFP was set aside for small businesses and provided for award of a fixed-price contract on a lowest-price, technically-acceptable basis, considering technical, price, and past performance evaluation factors. Agency Report (AR), Tab 3, RFP at 17, 35, 45-46. The procurement was conducted using Federal Acquisition Regulation (FAR) part 15 procedures and offerors were advised that the Air Force would hold discussions

if determined to be in the best interest of the government. Id. at 39, 45. In their technical proposals, offerors were to document their capability to perform the requirement by addressing three evaluation subfactors: well drilling and casing, waterline installation, and well stratigraphy. See id. at 42, 47.

Of significance here, the RFP stated that to be evaluated acceptable under the well stratigraphy subfactor (subfactor III), offerors were to provide evidence of prior performance of at least two domestic water well projects where a licensed geologist logged the well stratigraphy during the well drilling operation. Id. at 47. The RFP also stated that a proposal evaluated as unacceptable under any technical subfactor would be found technically unacceptable overall and, therefore, ineligible for award. See id. at 46.

The Air Force received proposals from six offerors, including Geotech and Wadsworth, which were evaluated by a source selection evaluation board (SSEB). Contracting Officer's Statement (COS) at 5. Geotech submitted the lowest-priced proposal; Wadsworth submitted the second lowest-priced proposal. AR, Tab 7, SSEB Rep., at 5-6. As relevant here, Geotech's technical proposal identified two projects under the well stratigraphy subfactor. See AR, Tab 10, Geotech Proposal, at 24-25. The proposal described the first project (known as the Last Chance Basin well) as follows: "[d]rilled seven 16" diameter domestic water wells to approximately 130 feet deep. All were drilled with onsite geologist." Id. at 24.

The SSEB evaluated Geotech's initial technical proposal as unacceptable under both subfactor II (waterline installation) and subfactor III (well stratigraphy), and thus unacceptable overall. AR, Tab 7, SSEB Rep., at 6. By contrast, Wadsworth's initial proposal was found technically acceptable under each subfactor and technically acceptable overall.<sup>1</sup> Id. Both offerors were evaluated as having acceptable past performance. Id.

The contracting officer determined that it was in the best interest of the government to conduct discussions because of the wide price disparity among the six proposals.<sup>2</sup> Id.; COS at 6. The contracting officer established a competitive range comprised of the three lowest-priced proposals and sent evaluation notices (ENs) to the offerors. See id.

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<sup>1</sup> The RFP stated that proposals would first be ranked by price and then the lowest-priced proposal would be evaluated for technical acceptability. RFP at 45. If the lowest-priced proposal was determined to be technically acceptable and had acceptable past performance, then the evaluation would stop and no further proposals would be evaluated. Id. If the lowest-priced proposal was not found technically acceptable, then the evaluation would proceed to the next lowest-priced proposal. Id.

<sup>2</sup> The initial price proposals ranged from approximately \$1.2 million to \$2.5 million; the independent government estimate for the procurement was approximately \$1 million. See AR, Tab 7, SSEB Rep., at 5-6.

The agency sent three evaluation notices to Geotech, one of which informed the offeror that its proposal was found technically unacceptable under the well stratigraphy subfactor, because the proposal did not note whether a licensed geologist performed the logs for Geotech’s Last Chance Basin project. See AR, Tab 13, Geotech EN, Tech. Subfactor III, at 1. The notice requested that Geotech clearly state whether or not a licensed geologist logged the stratigraphy for that project. Id.

Geotech responded to the evaluation notice as follows:

For Subfactor III . . . please refer to Volume II paragraph 8 of the Technical Approach, water well logs, geophysical logs. Stratigraphic logs will be prepared according to ASTM D2488 by a licensed geologist experienced in drilling. Lithologic logs will be submitted to the Montana Bureau of Mines and Geology and to the CO/COR [contracting officer/contracting officer representative]. The stratigraphy is logged by a licensed professional geologist for all drilling sites.<sup>3</sup>

Id. at 2.

Final revised proposals were evaluated as follows:

	<b>Geotech</b>	<b>Wadsworth</b>
<b>TECHNICAL</b>	Unacceptable	Acceptable
<b>Well drilling &amp; Casing</b>	Acceptable	Acceptable
<b>Waterline Installation</b>	Unacceptable	Acceptable
<b>Well Stratigraphy</b>	Unacceptable	Acceptable
<b>PAST PERFORMANCE</b>	Acceptable	Acceptable
<b>PRICE</b>	\$1,089,300	\$1,359,000

AR, Tab 7, SSEB Rep., at 9-11. The SSEB found that Geotech’s proposal remained technically unacceptable, including under subfactor III (well stratigraphy). Id. at 9. The evaluators noted that Geotech’s response to the EN for that subfactor still did not annotate “whether or not a licensed geologist performed the logs” and only referenced Geotech’s original technical proposal. Id. The SSEB further noted that “Geotech was given every opportunity to provide proof of technical acceptability and failed to do so.” Id.

The Air Force concluded that Wadsworth offered the lowest-priced, technically-acceptable proposal with acceptable past performance and fair and reasonable pricing. Id. at 13; AR, Tab 8, Source Selection Dec. Doc., at 1-10. Wadsworth was awarded a contract for \$1,359,000, and this protest followed.

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<sup>3</sup> The RFP requires the contractor to drill wells at four sites on Malmstrom AFB. RFP at 1; AR, Tab 6, RFP amend. 1, attach. 1, Tech. Specifications, at 5.

## DISCUSSION

Geotech challenges the evaluation of its technical proposal, arguing that it met the RFP's requirements, including with respect to well stratigraphy.<sup>4</sup> Protest at 4-5; Comments at 1-2.

The Air Force contends that it evaluated the protester's technical proposal reasonably and that Geotech simply failed to answer the agency's question in the evaluation notice regarding well stratigraphy. See Memorandum of Law at 10.

In reviewing protests challenging the rejection of a proposal based on the agency's evaluation, it is not our role to reevaluate proposals; rather our Office examines the record to determine whether the agency's judgment was reasonable and in accordance with the solicitation criteria and applicable procurement statutes and regulations. Wolverine Servs. LLC, B-409906.3, B-409906.5, Oct. 14, 2014, 2014 CPD ¶ 325 at 3; Orion Tech., Inc., B-405077, Aug. 12, 2011, 2011 CPD ¶ 159 at 4.

Based on our review of the contemporaneous record here, we agree that the Air Force evaluated Geotech's technical proposal reasonably and consistent with the terms of the solicitation. As set forth above, the RFP stated that to be found acceptable under the well stratigraphy technical subfactor, offerors were to provide evidence of their prior performance of at least 2 domestic water projects where a licensed geologist logged the well stratigraphy during the well drilling operation. RFP at 47.

Significantly, the protester concedes that, "[w]hile Geotech's response to the EN may not have expressly confirmed that a licensed geologist logged the stratigraphy for the project completed at Last Chance Basin, in identifying the previous contracts, it was presumed that a licensed geologist logged the well stratigraphy during the well drilling." Comments at 2. It is an offeror's responsibility to submit a well-written proposal, with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. See International Med. Corps, B-403688, Dec. 6, 2010, 2010 CPD ¶ 292 at 8. An offeror is responsible for affirmatively demonstrating the merits of its proposal and, as here, risks the rejection of its proposal if it fails to do so. HDL Research Lab, Inc., B-294959, Dec. 21, 2004, 2005 CPD ¶ 8 at 5. As quoted above, and as Geotech essentially concedes, its response to the evaluation notice did not clearly state that a licensed geologist logged the stratigraphy for the Last Chance Basin project. Moreover, Geotech

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<sup>4</sup> Although we do not address all of Geotech's arguments, we have considered all of the protester's contentions and find that none provides a basis to sustain the protest. For example, we do not address Geotech's challenge to the evaluation of its proposal under subfactor II (waterline installation) because, as discussed below, the protester cannot show that it was prejudiced by any alleged evaluation errors under that subfactor. Geotech does not otherwise challenge the Air Force's price evaluations or its evaluation of Wadsworth's proposal.

identifies no aspect of its technical proposal that otherwise states that a licensed geologist logged the stratigraphy for that project. See generally Protest; Comments.

To the extent that Geotech maintains that “it was presumed that a licensed geologist logged the well stratigraphy” for the Last Chance Basin project, the Air Force was not required to infer such information from Geotech’s technical proposal or its response to the evaluation notice. See, e.g., Optimization Consulting, Inc., B-407377, B-407377.2, Dec. 28, 2012, 2013 CPD ¶ 16 at 9 n.17. Agencies are not required to infer information from an inadequately detailed proposal, or to supply information that the protester elected not to provide. See LexisNexis, Inc., B-299381, Apr. 17, 2007, 2007 CPD ¶ 73 at 6-7 n.6 (noting that an agency is under no obligation to parse a protester’s proposal to try to determine whether the proposal offers comparable sources of information).

We also disagree with the protester’s assertion that “the contracting officer could have and should have sought further clarification” if Geotech’s response to the evaluation notice was not sufficiently clear. Comments at 2. As discussed above, the record shows that the agency, during discussions, specifically identified its concerns regarding well stratigraphy at the Last Chance Basin project. Contrary to the protester’s mistaken belief, the Air Force was not required to seek further clarifications from Geotech, or afford it yet another opportunity to cure the deficiency in its proposal or its subsequent response to the evaluation notice. See, e.g., Nomura Enter., Inc., B-251889.2, May 6, 1993, 93-1 CPD ¶ 490 at 5-6 (finding that where an agency has advised the offeror of deficiencies and given the offeror an opportunity to revise its proposal, the agency has no obligation to conduct further discussions or provide the offeror a second opportunity to revise its proposal); Alltech Eng’g Corp., B-414002.2, Feb. 6, 2017, 2017 CPD ¶ 49 at 6 (“Although agencies have broad discretion as to whether to seek clarifications from offerors, offerors have no automatic right to clarifications regarding proposals . . .”).

Because we find that the Air Force reasonably found Geotech’s proposal technically unacceptable under the well stratigraphy evaluation subfactor, we need not address the protester’s evaluation challenge under the waterline installation subfactor, since the RFP provided that proposals must be evaluated as acceptable under each technical subfactor in order to be acceptable overall. See RFP at 46. That is, even if we were to find that its proposal was improperly evaluated under the waterline installation subfactor, Geotech could not show that it was competitively prejudiced by any such evaluation errors, because its proposal would remain technically unacceptable under the well stratigraphy subfactor and would thus not be eligible for award under the terms of the solicitation. Competitive prejudice is an essential element of a viable protest; where the protester fails to demonstrate that, but for the agency’s actions, it would have had a substantial chance of receiving the award, there is no basis for finding prejudice, and our Office will not sustain the protest, even if deficiencies in the procurement are found. See, e.g., Special Servs., B-402613.2, B-402613.3, July 21, 2010, 2010 CPD ¶ 169 at 4.

In sum, we find no basis to question the Air Force's evaluation of Geotech's technical proposal and the protester's allegations to the contrary only reflect its disagreement with the agency's evaluations, which, without more, provides no basis to question the reasonableness of the agency's judgments. See Citywide Managing Servs. of Port Washington, Inc., B-281287.12, B-281287.13, Nov. 15, 2000, 2001 CPD ¶ 6 at 10-11.

The protest is denied.

Susan A. Poling  
General Counsel