

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

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FILE: B-184116

DATE: August 11, 1976

MATTER OF: North American Weather Consultants

**DIGEST:**

Where RFP for research program called for specific range of experience for each person assigned by offeror, award to offeror whose personnel had experience qualifications equivalent to, although not exactly the same as, that specified and whose personnel team as a whole had the required range of experience is not improper. However, agency should make clear to offerors in future solicitations of this type that equivalent qualification would be acceptable and that total team qualifications would be considered.

North American Weather Consultants (NAWC) protests the award of a cost-reimbursement type contract by the Bureau of Reclamation, Department of Interior (Interior), to Environmental Research and Technology, Inc. (ERT) pursuant to solicitation No. 5-07-DR-12080 (RFP). The RFP called for supporting and performing weather modification research as part of a cooperative research program (Project Skywater).

The RFP stated that award would be made to the offeror considered the best qualified and proposing the lowest cost as determined by a negotiation board composed of professional meteorologists and engineers. Of the six evaluation criteria listed in the RFP in decreasing order of importance, personnel qualifications was first and cost was second. The RFP specified the following personnel qualifications:

- "1. The Principal Investigator must be a highly qualified research scientist with at least 4 years field meteorological experience in conducting, coordinating, and evaluating atmospheric and weather modification research projects, especially with background in operating radar, controlling aircraft, and analyzing related scientific and meteorological data. This scientist should reside year round at Colby, Kansas, and assist in developing the experimental plans and designs and in providing public information functions.

"2. A research meteorologist - weather forecaster who will also assist in data analysis and radar operation, with at least a Bachelor's degree in Meteorology or Atmospheric Sciences, or equivalent, and with at least 2 years' experience in forecasting and analyzing weather data, operating weather radars, and directing cloud seeding and research aircraft."

The essence of NAWC's protest is that neither the principal investigator nor the research meteorologist proposed by ERT and assigned to the contract has the weather modification experience required by the RFP. For this reason, NAWC contends that ERT's proposal was unacceptable and award to that firm was proper.

Interior does not dispute NAWC's contention that ERT's principal investigator did not have 4 years of experience in weather modification or that its research meteorologist did not have 2 years of experience in directing cloud seeding and research aircraft. It points out, however, that the principal investigator had 15 years of experience in atmospheric research which is fundamental to and intimately associated with weather modification studies. In addition, ERT proposed a program manager who would be available part time and who had 2 years of weather modification experience as well as 12 years in weather radar research. Both men possessed advanced degrees in meteorology. The research meteorologist proposed by ERT had a master's degree, research experience in radar analysis and experience in forecasting and analyzing weather data.

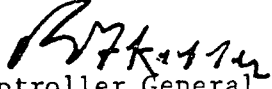
Interior states that much importance was placed on obtaining the best combination of capabilities and experience in a team of personnel to perform the research, that other offerors had proposed program manager/principal investigator combinations and co-principal investigators scheduled for different phases of the program and that ERT was selected as the best qualified contractor with the lowest price of the four top competitors.

We have no reason to doubt Interior's assessment that the ERT team as a whole had the required experience to perform this research project even though each member of the team may not have had the specific range of experience set forth in the RFP for his position. Moreover, the protester has not refuted Interior's determination that ERT's proposal was the most advantageous, technical and cost factors considered. Although

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ERT did not meet the literal requirements of the RFP in regard to personnel qualifications, it is clear that its personnel had qualifications either equivalent to or in excess of the minimum specified. Under the circumstances, we do not think award to ERT was improper.

We believe, however, that it would have been fairer to all offerors if the RFP had stated with regard to personnel qualifications that equivalent experience would be acceptable and that consideration would be given to total team qualifications. We are recommending to the Secretary of Interior that in future procurements of this type, action be taken to assure that the offerors are clearly informed of the requirements.

  
Deputy Comptroller General  
of the United States