



Decision

Matter of: Silicon Ro Foundation

File: B-406304

Date: March 9, 2012

Szabolcs A. Molnar, for the protester.
Patricia H. Bieder, Esq., Department of the Navy, for the agency.
Noah B. Bleicher, Esq., Glenn G. Wolcott, Esq., and Sharon L. Larkin, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest that contract award was improper because awardee did not attend a scheduled site visit is denied where the solicitation did not require that vendors visit the site on a specific date, and the record shows that the awardee visited the construction site prior to scheduled site visit.

DECISION

Silicon Ro Foundation, of Sarasota, Florida, protests the award of a contract by the Department of the Navy, Naval Facilities Engineering Command, to Ricostar Tulcea LTD, under Request for Quotations (RFQ) No. N33191-12-T-2000, for the renovation of two schools in Romania.¹ Silicon Ro argues that the Navy's contract award was improper because Ricostar did not attend the Navy's site visit.

We deny the protest.

BACKGROUND

The Navy issued the RFQ on October 18, 2011, seeking quotations for the design and renovation of the Sarata Basarab and Racovat Rural Schools in Romania.²

¹ The protest is submitted by Silocon Ro Foundation, as part of a joint venture that submitted a quotation in response to the solicitation.

² The solicitation sought quotations for a base bid and an option for a perimeter fence, entrance canopy and sidewalk at one of the schools. RFQ at 4.

RFP at 1, 3. The RFQ included a 59-page performance technical statement (PTS) that contained various requirements related to the renovation projects. Regarding site visitation, the PTS included the following instruction:

IT IS ABSOLUTELY NECESSARY FOR THE CONTRACTOR TO VISIT THE JOB SITES IN ORDER TO MEASURE AND TO QUANTIFY THE WORK INCLUDED IN THIS PROJECT AND TO VERIFY REAL FIELD CONDITIONS. THIS PROJECT DOES NOT INCLUDE MEASUREMENTS OF QUANTITIES.

PTS at 3 (emphasis in original).

An RFQ amendment, issued on October 28, indicated that a Navy-sponsored site visit would be held on Friday, November 25 at 11:00 a.m. RFQ amend. 0002, at 1. Three vendors attended the November 25 site visit, including Silicon Ro. Contracting Officer's Statement at 1. Ricostar did not attend the November 25 site visit. Id.

Six vendors submitted quotations in response to the RFQ. Id. Silicon Ro submitted a quotation of \$270,000. Agency Report (AR), Tab 6, Abstract of Quotations, at 2. Ricostar's quotation was \$168,030. Id. The agency determined Ricostar to be the lowest-priced responsible offeror and awarded the firm the contract on December 21. AR at 2. This protest followed.

DISCUSSION

Silicon Ro argues that the Navy's award to Ricostar was improper because the firm did not attend the November 25 site visit. On this basis, Silicon Ro contends that the Navy should have "automatically disqualified" Ricostar's quotation. Protest at 2.

In reviewing protests challenging an agency's evaluation of quotations, we will not conduct a new evaluation or substitute our judgment for that of the agency; rather we will examine the record to determine whether the agency's judgment was reasonable and consistent with the solicitation's evaluation criteria and applicable procurement statutes and regulations. Synovate, Inc., B-404689, Mar. 29, 2011, 2011 CPD ¶ 80 at 5.

The agency argues, and we agree, that while the PTS required vendors to visit the schools, it did not specifically require attendance at the Navy's November 25 site visit.³ See AR at 3. In this regard, neither the RFQ nor the PTS included a

³ The agency explains that the Navy-sponsored November 25 site visit "provided a means for contractors to visit the site with the technical representative present." AR at 3.

requirement that vendors attend the site visit scheduled by the Navy to be eligible for award. Rather, the PTS merely required that vendors visit the construction sites prior to submitting their quotations in order for them to “measure and to quantify the work and to verify real field conditions.” PTS at 3.

Here, the Navy has presented documentation, including hotel receipts and stamped and signed temporary duty orders, showing that Ricostar visited the schools on November 24. See AR, Tab 9, Documentation of Ricostar Site Visit, at 1-3. Although Silicon Ro disputes the agency’s assertion that Ricostar visited the construction sites prior to submitting its quotation, and maintains that our Office should “not take into evidence” the documentation provided by the agency, Silicon Ro has provided no meaningful support for its assertion that the documentation submitted by the agency is unreliable. See Comments at 3.

On this record, we find no merit in Silicon Ro’s argument that the Navy’s award to Ricostar was improper. The protest is denied.

Lynn H. Gibson
General Counsel