



United States Government Accountability Office
Washington, DC 20548

Decision

Matter of: Compuline International, Inc.

File: B-408379

Date: July 19, 2013

Gadema K. Quoqoui, for the protester.

R. Rene Dupuy, Esq., United States Agency for International Development, for the agency.

Sasan J. Najmi and Sharon L. Larkin, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Agency reasonably rejected a proposal that failed to comply with requirements of a solicitation.

DECISION

Compuline International, Inc. (Compuline) protests the rejection of its proposal by the U.S. Agency for International Development (USAID), under Request for Proposals (RFP) No. SOL-624-12-000005, for expert technical assistance and services for the implementation of USAID/West Africa's Trade Hub and African Partners Network Project. Compuline argues that its proposal provided the best value, and that USAID violated the Federal Acquisition Regulation (FAR) and failed to evaluate its proposal pursuant to the RFP.

We deny the protest.

On August 16, 2012, USAID issued the RFP for the implementation of USAID/West Africa's Trade Hub and African Partners Network (Trade Hub Network) Project. RFP at 1. Offerors were to develop proposals to assist a network of West Africa's farmers and firms, through their associations and alliances, to increase international trade in staple foods within the region, "and trade in value-added products to the world, in particular the United States." Id. at 12. The selected contractor was to provide expert and technical assistance for the implementation of the Trade Hub Network Project. Id. at 16.

The RFP contemplated the award of a cost-plus-fixed-fee completion-type contract, with a maximum value of \$55 to 60 million. Id. at 1. The contract duration was for a 3-year base period with two 1-year options. RFP amend. 4, at 2. The contract was to be awarded to the responsible firm whose proposal represented the best value, based on technical, cost, and other considerations. Id. at 135. The technical evaluation involved an assessment of technical approach, management and staffing plans, institutional capability and experience, and past performance. Id. at 135-39. Cost was to be evaluated for realism, allowability, and reasonableness. Id. at 139. The various evaluation factors were weighted as follows:

TECHNICAL EVALUATION CRITERIA	
Technical Approach	40 points
Management and Staffing Plan, including Key personnel 1. Management and Staffing Plan (10 points) 2. Key Personnel (20 points)	30 points
Institutional Capability and Experience	15 points
Past Performance	15 points
Total	100 points

Id. at 140.

Section L of the RFP set forth specific requirements for the organization and substantive content of the technical and cost proposals. Among other things, the solicitation required that the proposal address an approach to the project, performance targets, a 1-year integrated work plan, a management and staffing plan (including key personnel), institutional capability and experience, and past performance. Id. at 117. For each of these topic areas, the RFP described in detail what the proposal was to include. Id. at 117-23; see also id. at 136-38. The RFP stated that “[p]roposals not conforming to this RFP will be determined as non-responsive, thereby eliminating them from further consideration.” Id. at 116.

Six offerors, including Compuline, submitted proposals in response to the RFP. AR at 1. After evaluating initial offers, USAID determined that Compuline’s proposal would be excluded from further competition, and on May 24, 2013, informed Compuline that its proposal was rejected because the proposal was not responsive to the RFP. AR, Tab 4, Letter of Exclusion from USAID. On May 30, Compuline filed a protest with our Office, arguing that its proposal should have been viewed as the proposal offering the best value, and that the agency’s evaluation was unreasonable.

Compuline protests the agency's rejection of its proposal, arguing that USAID did not comply with requirements of Part 15 of the FAR, and that it failed to reasonably evaluate Compuline's proposal in accordance with the RFP.¹ Protest at 2. In response, USAID argues that Compuline's proposal was properly rejected because it did not include some of the most basic information required by this RFP. AR at 2-3. We agree with the agency.

The evaluation of proposals is a matter within the discretion of the procuring agency; we will question the agency's evaluation only where the record shows that the evaluation does not have a reasonable basis or is inconsistent with the RFP. Hardiman Remediation Servs., Inc., B-402838, Aug. 16, 2010, 2010 CPD ¶ 195 at 3. Since an agency's evaluation is dependent on the information furnished in a proposal, it is the offeror's responsibility to submit an adequately written proposal for the agency to evaluate. Id.; Pacifica Servs., Inc., B-280921, Dec. 7, 1998, 98-2 CPD ¶ 137 at 3. An offeror risks having its proposal evaluated unfavorably where it fails to submit an adequately written proposal. Recon Optical, Inc., B-310436, B-310436.2, Dec. 27, 2007, 2008 CPD ¶ 10 at 6. Where, as here, a proposal fails to meet material requirements of the RFP, it may be rejected as unacceptable. Blocacor, LDA, B-282122.3, Aug. 2, 1999, 99-2 CPD ¶ 25 at 2 n.1; Diversified Collection Servs., Inc., B-406958.3, B-406958.4, Jan. 8, 2013, 2013 CPD ¶ 23 at 11.

Based on our review of the record, we find that the agency reasonably rejected Compuline's proposal. Among other omissions, Compuline did not provide a management or staffing plan or key personnel; did not include required information for past performance references; and did not submit a cost proposal. In addition, the proposal did not follow the format or organization required by the RFP, did not substantively address the topics identified in the RFP (or did not include sufficient detail), and instead addressed topics that the solicitation did not require. Given that Compuline failed to adhere to the clear instructions in the RFP for proposal content, we find that the agency reasonably rejected the proposal as non-responsive.

The protest is denied.

Susan A. Poling
General Counsel

¹ In addition, Compuline also argued that USAID failed to follow certain requirements of the Department of Defense supplement to the FAR (the DFAR). For the record, the requirements of the DFAR have no application to procurements conducted by USAID.