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DECISION



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

FILE: B-190507

DATE: June 7, 1978

MATTER OF: Didactic Systems, Inc.

DIGEST:

1. Evaluation criteria set forth in solicitation and procuring activity's discussion of proposal's deficiencies were sufficient to put protester on notice that response deficient in detail would be subject to evaluation penalty.
2. GAO will not evaluate proposals and substitute its judgment for that of cognizant contracting officials by making independent judgment as to precise numerical scores which should have been assigned by evaluators.
3. Protest against use of "normalization" value system in evaluation of price proposals, according to which lowest-priced offer is assigned the maximum possible points and remaining proposals are converted to normalized point ratings by dividing lowest price by proposed prices and multiplying resulting percentages by the maximum score, is not objectionable or inconsistent with solicitation's evaluation criteria.

Didactic Systems, Inc. (DSI), protests the award of a contract by the United States Department of Agriculture (USDA) to Strayer College Management Institute (Strayer) for a personnel training program for fiscal year 1978 resulting from request for proposals (RFP) No. 00-77-R-46.

The RFP, issued on August 4, 1977, required that initial proposals be submitted by August 24, 1977. Eight proposals were received and discussions were held with all the offerors on September 20 and 21, 1977, during which they were informed of the deficiencies in their proposals. USDA states that DSI was advised that its proposal could

not be adequately evaluated in accordance with section P. X1 of the RFP because the firm had not addressed certain issues proscribed in section P.X. The latter section provided as follows:

"2. PLAN OF ACCOMPLISHMENT

The contractor should provide a comprehensive plan for performing the services involved and for attaining the program objectives. The plan should cover in detail all points mentioned in the specifications. It should also provide a time frame for the accomplishment of the services to be provided. The plan should be a detailed description of the specific approaches, methods, and techniques to be employed in performing each phase of the program.

"3. INSTRUCTOR QUALIFICATIONS

The contractor shall provide a list of names and their qualifications of the individuals who will serve as instructors."

In this regard, USDA told DSI that the firm's proposal failed to provide the requisite plan and time frame, identify the principal resource speaker, and state whether additional instructors would be available for each session.

During discussions, USDA advised the offerors of proposed changes in the RFP and further informed them that price evaluation would be based on 360 students. A telegraphic amendment to the solicitation, issued on September 21, 1977, set the closing date for receipt of best and final offers at September 28, 1977, increased the number of participants from 250 to 360, and added Section E (pricing provisions) to the solicitation. Paragraph E.1 set forth a schedule of 6 training sessions and 6 optional training sessions for which unit prices per participant for each session and total prices on a quantity of 30 participants per session were to be submitted. Paragraphs E.2 and E.3 provided as follows:

"E.2 - OFFEROR SHALL OFFER FIRM FIXED PRICES PER PERSON PER CLASS AS SHOWN ABOVE. THESE PRICES MUST INCLUDE ALL TRAVEL, PER DIEM, OVERHEAD, G&A AND PROFIT. OFFERORS SHALL BE EVALUATED ON THE BASIS OF 30 PERSONS PER CLASS; HOWEVER, SHOULD LESS THAN 30 PERSONS ACTUALLY ATTEND EACH CLASS, THE CONTRACT PRICE WILL BE CHANGED TO REFLECT THE ACTUAL NUMBER OF ATTENDEES, DOWN TO THE MINIMUM OF 20 PERSONS PER CLASS. TIMES THE UNIT PRICE SHOWN.

"E.3 - ITEMS 02A THRU 02F [the six optional training sessions] ARE OPTIONAL ITEMS WHICH MAY BE EXERCISED UP TO FIFTEEN (15) DAYS PRIOR TO EACH CLASS."

Proposals were evaluated by USDA's evaluation board against the following weighted criteria set forth in Section F.XI of the RFP:

<u>"A. TECHNICAL PROPOSAL CRITERIA</u>	<u>Maximum Points</u>
"1. <u>Plan of Accomplishment.</u> The contractor's approach, methods, techniques, and operational structure used to attain the objectives of program.	20
"2. <u>Type of Curriculum.</u> The design of the curriculum to meet education requirements of positions found within the Department of Agriculture. The curricula design which will meet the needs of program participants.	20
"3. The qualifications of the individuals who will serve as instructors.	20
<u>"B. PRICE CRITERIA</u>	
The price proposal will be considered in relation to the quality of the technical proposal and quality of proposed services.	40 "

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Total evaluated scores on the technical proposals of the best and final offers ranged from 15 to 55 points. The Strayer and DSI proposals were evaluated as follows:

<u>Offeror</u>	<u>Plan of Accomplishment</u>	<u>Type Curriculum</u>	<u>Instructor</u>	<u>Total Evaluated Score</u>
Strayer	5	7	8	20
DSI	6	6	6	18

USDA states that its evaluation board scored DSI's proposal at 18 points because the firm's best and final offer remained vague and the plan for accomplishing objectives merely reiterated USDA's objectives stated in the RFP.

Strayer submitted the lowest price proposal, which was assigned an evaluated price score of 40 points (the maximum available). DSI's evaluated price score was calculated by dividing Strayer's price (\$27,000) by DSI's price (\$45,600) and multiplying the resulting percentage (59.2 percent) by the maximum score (40 points). Thus, DSI's evaluated price proposal score was 24 points.

Final proposal scores were derived by adding the offerors' evaluated technical and price scores. Strayer's score was 60 and DSI's 42. The RFP provided for award to be made to "that qualified contractor whose proposal, responsive to this RFP, is most advantageous to the Government." Because the offeror with the highest evaluated technical score (55 points) withdrew its offer prior to award, USDA awarded the contract to Strayer, the offeror with the highest combined score, on October 18, 1977.

DSI was telephonically notified of the award on October 20, 1977, and timely filed its protest with our Office. The protester essentially contends that USDA's evaluation of the technical proposals was either discriminatory or superficial and that the procuring activity improperly applied the evaluation criteria ratio between technical and cost factors. More specifically, DSI asserts that its proposal would probably have received the highest score had USDA scored the proposals on the basis of an

objective, rather than subjective, evaluation of the evidence and given the technical proposal its proper weight. In the latter respect, DSI states that USDA failed to present any evidence that technical proposals received the greater weight (60 percent) specified in the RFP.

Although procuring activities have considerable latitude in deciding which proposal evaluation scheme to use in a given procurement, see, e.g. Augmentation, Inc., B-186614, September 10, 1976, 76-2 CPD 235; BDM Services Company, B-180245, May 9, 1974, 74-1 CPD 237, the method chosen must provide a rational basis for source selection and the evaluation must be conducted in good faith according to the evaluation criteria announced. Francis & Jackson, Associates, B-190023, January 31, 1978, 78-1 CPD 79.

Considering the nature of the services being procured, we cannot conclude that evaluation of the offerors' training plans and methods, proposed curricula, and instructors did not constitute reasonable bases upon which to select the most appropriate proposal. Furthermore, we are unable to find on the basis of the record that USDA's technical evaluation was not conducted in accordance with the evaluation criteria set forth in the RFP. As noted above, the agency's evaluation board separately scored the proposals on each of the three prescribed technical criteria and assigned an evaluated technical score to each proposal equal to the sum of the scores for the three criteria.

Contrary to DSI's assertion, we have long recognized that the use of numerical scoring in technical evaluations is, precisely, an attempt to quantify what is essentially a subjective judgment. 52 Comp. Gen. 198, 209 (1972); see also B-174799, June 10, 1972. Although DSI may have considerable experience and be well qualified to fulfill USDA's requirements, that alone does not render the agency's evaluation of the protester's proposal unreasonable or otherwise improper. Technical evaluations are not based upon expertise in the abstract, but upon the degree to which the offeror's written proposal adequately addresses the evaluation factors specified in the solicitation. Scrivite International, Ltd., P-187197, October 8, 1976, 76-2 CPD 325.

Although we do not agree with USDA's opinion that DSI's amended technical proposal (i.e., best and final offer) merely restated the RFP's specifications, we believe that the criteria set forth in the RFP, together with the deficiencies raised by USDA during discussions with DSI, were sufficient to put the protester on notice that responses deficient in detail concerning the plan of accomplishment, time frame and instructor availability, would be subject to an evaluation penalty. Further, notwithstanding the incorrect characterization of the proposal, we are unable to conclude that the proposal was so detailed that it should have scored higher technically or that it was actually better than the Strayer proposal technically. In that regard, it is not the function of our Office to evaluate proposals and we will not substitute our judgment for that of the cognizant contracting officials by making an independent judgment as to the precise numerical scores which should have been assigned by the evaluators. PRC Computer Center, Inc., et al., 55 Comp. Gen. 60 (1975), 75-2 CPD 35. We have consistently held that procuring officials enjoy a reasonable range of discretion in the evaluation of proposals and that such determinations are entitled to great weight and must not be disturbed unless shown to be arbitrary or in violation of procurement statutes and regulations. Houston Films, Inc., B-184402, December 22, 1975, 75-2 CPD 404. The fact that DSI does not agree with the evaluation does not render it invalid. Houston Films, Inc., *supra*; Honeywell Inc., B-181170, August 8, 1974, 74-2 CPD 87.

DSI's objection to USDA's evaluation includes the use of a "normalization" value system in the price evaluation process, according to which Strayer's price proposal was assigned the maximum rating of 40 points and the remaining price proposals were converted to normalized point ratings by the aforementioned formula. See 52 Comp. Gen. 382, 387 (1972). Where, as here, price is evaluated by numerically scoring proposed prices and totaling the points awarded for both cost and other factors, it is not uncommon for prices to be scored with the lowest price being awarded the maximum possible point score. See, e.g., Design Concepts, Inc., B-186880, December 22, 1976, 76-2 CPD 522; Computer Network Corporation, Tymshare, Inc., 56 Comp. Gen. 245, 249 (1977), 77-1 CPD 31.

USDA's use of a normalization system was not in derogation from the evaluation scheme stated in the RFP. No price proposal was, in fact, accorded more than the 40 possible points announced in the solicitation. We note that after withdrawal of the highest evaluated technical proposal, the remaining technical scores ranged from 15 to 35 points, 5 of which, including those of Strayer and DSI, were scored at 20 points or less. The mere fact that a majority of the technical scores were concentrated in the lower third of the scoring range does not, as the protester's contentions suggest, require that USDA concomitantly reduce the scope of the price-scoring range in order to maintain the 60/40 technical/cost ratio prescribed in the RFP. Technical evaluations were, in contradistinction, conducted on the basis of the full 60-point scoring range and the concentration of scores is attributable rather to the technical merit of the proposals as perceived by the evaluation board.

Because the technical scores of the Strayer and DSI proposals were relatively close, price happened to become the decisive factor in determining the successful offeror. We see no basis for objecting to the award of the full 40 points to the lowest-priced offeror, nor can we conclude that the scoring of either the technical or price proposals was inconsistent with criteria stated in the RFP. Francis & Jackson, Associates, supra.

Accordingly, the protest is denied.


Acting Comptroller General
of the United States