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DECISION

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

FILE: B-219524 **DATE:** October 3, 1985

MATTER OF: MetaMetrics Inc.

DIGEST:

1. GAO will not disturb contracting agency's determination that protester's offer is technically unacceptable for failure to propose personnel meeting minimum education and experience requirements where the protester has not established that the determination was unreasonable or in violation of procurement statutes or regulations.

2. Contracting agency's rejection of offer as technically unacceptable is reasonable where offeror submits resumes of proposed key personnel for evaluation and one of the individuals does not meet education and experience requirements.

MetaMetrics Inc. protests the award of a contract to Caliber Associates, Inc., under request for proposals (RFP) No. N00604-85-R-0041, issued on February 7, 1985, by the Naval Supply Center, Pearl Harbor, Hawaii. The RFP sought proposals to analyze and evaluate a 3-year family advocacy project. The project is designed to demonstrate the effectiveness of a coordinated approach by the military services and the state of Hawaii in providing a broad spectrum of services to prevent and remedy family violence within the military. MetaMetrics contends that the Navy improperly determined that its proposal was technically unacceptable.

For the reasons set forth below, we deny the protest.

Three proposals were received by the Navy in response to the RFP. A Navy technical evaluation panel determined that MetaMetrics' proposal was unacceptable in the area of personnel education and experience. Clause M21(a) of the RFP requires that proposed key personnel "possess a graduate degree in the health, social, or behavioral sciences." The term "key personnel" is defined in the solicitation to mean those persons whose resumes were submitted by an offeror in its proposal for evaluation by the Navy.

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According to MetaMetrics' proposal, two of the five staff members for whom MetaMetrics submitted resumes did not have graduate degrees. (One of the individuals has virtually completed his doctorate degree in Economics. His education was not cited as a deficiency by the evaluation panel and, consequently, is not an issue here.) Clause M21(a) also requires offerors to provide "documented evidence of research/evaluation activities in the area of child abuse, neglect, and spouse abuse in military family settings for a minimum of 4 years." The evaluation panel concluded that neither the company nor any of its proposed staff had this experience.

In light of this technical evaluation, the contracting officer asked MetaMetrics to provide additional information to establish that its proposed personnel met the minimum education and experience requirements. The firm's response repeated the information contained in its proposal regarding the academic degrees of the proposed staff. MetaMetrics also stated that its proposed principal researcher had conducted research on child abuse, neglect, and spouse abuse in military family settings while managing social work programs for a military service. In support of this statement, the firm reported that on two occasions its principal researcher had developed forms for collecting data on child and spouse abuse and had provided "intensive evaluation and consultation" for several military family advocacy programs.

The technical evaluation panel reviewed MetaMetrics' additional submission and concluded that, while the proposed principal researcher had extensive clinical treatment, consultation, and program management experience in the field, he did not have the necessary research/evaluation experience. Again, the contracting officer asked MetaMetrics to address the minimum experience requirements. The firm responded generally that its principal researcher had performed research and evaluation in the areas of family violence and family advocacy, but that he had not conducted intensive, long-term evaluations.

Notwithstanding MetaMetrics' additional submissions, the Navy concluded that the firm's proposed personnel did not meet the minimum education and experience requirements of the RFP. Following the Navy's award of a contract to Caliber on July 5, 1985, MetaMetrics protested to our Office.

In considering a protest of this nature, we do not reevaluate proposals and make our own determination as to their relative merits. Houston Films, Inc. (Reconsideration), B-184402, June 16, 1976, 76-1 CPD ¶ 380. That function is the responsibility of the contracting agency, which must bear the burden of any difficulties resulting from a defective evaluation. Procuring officials enjoy a reasonable degree of discretion in determining the technical adequacy of proposals, and their determination will not be disturbed unless shown to be unreasonable or otherwise in violation of the procurement statutes and regulations. Essex Electric Engineers, Inc., et al., B-211053.2, et al., Jan. 17, 1984, 84-1 CPD ¶ 74. Furthermore, the protester has the burden of affirmatively proving its case, and the fact that the protester does not agree with the agency's evaluation of its proposal does not itself render the evaluation unreasonable. Id.

We believe that the Navy's evaluation of MetaMetrics' technical proposal was reasonable. MetaMetrics' proposal includes a resume for a staff member without a graduate degree in the health, social, or behavioral sciences. In its comments on the Navy report, MetaMetrics contends that the individual involved, an analyst and project secretary, was not key to the conduct of the project. MetaMetrics argues that it was unreasonable to apply the minimum educational qualifications to all proposed personnel. Since MetaMetrics included in its proposal a resume for the proposed staff member and the RFP defined "key personnel" as those for whom resumes were submitted, we think that the Navy reasonably considered the requirements for key personnel to be applicable. Cf. Numax Electronics Inc., B-210266, May 3, 1983, 83-1 CPD ¶ 470 (where the resumes of proposed personnel do not establish that they meet the experience requirements stated in the RFP, rejection of the proposal as technically unacceptable is reasonable).

Further, we find no documentation in MetaMetrics' proposal establishing that the firm or any of its staff have conducted research/evaluation activities in the area of child abuse, neglect and spouse abuse in military family settings for 4 years. MetaMetrics asserts in its protest letters that its principal researcher has 10 years of such experience, but provides no evidence of this in addition to its previous submissions to the Navy. Although MetaMetrics takes issue with the Navy's determination that its proposed team does not meet the minimum qualification standards, the protester has submitted no evidence indicating that the Navy's technical conclusions were unreasonable.

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Accordingly, we find no basis to object to the Navy's determination that MetaMetrics' proposal was technically unacceptable. We deny the protest.

for Seymour Efros
Harry R. Van Cleve
General Counsel