

DECISION



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

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[Protest of Bureau of Land Management Contract Award]

FILE: B-199634

DATE: November 12, 1980

MATTER OF: Space Age Surveyors

DIGEST:

1. An agency need not consider an offeror's low price when it submits an unacceptable technical proposal.
2. Fact that offeror may have possessed requisite technical expertise for contract performance does not overcome deficient technical proposal since technical evaluation is not based on expertise in the abstract but upon degree to which offeror's written proposal adequately addresses evaluation factors in solicitation.

Space Age Surveyors (Space Age) protests the award of a contract to Stuntzner Engineering and Forestry (Stuntzner) under request for proposals (RFP) YA-553-RFPO-64 issued by the Bureau of Land Management (BLM), Department of the Interior. The RFP solicited proposals for an administrative survey in Coos County, Oregon. Space Age contends that as a technically qualified firm it should have received the award because its proposal price of \$30,867 was substantially less than Stuntzner's price of \$43,795. We deny the protest.

BLM made an award on the basis of initial proposals without discussions. Out of the eight proposals submitted, Stuntzner received the highest technical rating of any offeror with 98.75 points out of 100. Even though Space Age submitted the low proposal price, BLM determined that its proposal was technically unacceptable with a technical score of 18. In this connection, an agency need not consider an offeror's low price when it submits an unacceptable technical proposal. See SDC Integrated Services, Inc., B-195624, January 15, 1980, 80-1 CPD 44. Thus, the question here is whether

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BLM properly determined that Space Age's proposal was technically unacceptable.

It is not our function to evaluate the proposals submitted and make our own determinations as to their acceptability or relative merits. Houston Films, Inc.-- Reconsideration, B-184402, June 16, 1976, 76-1 CPD 380. Thus, we have repeatedly stated that we will not disturb the agency's technical evaluation unless it is clearly without a reasonable basis. See Joseph Legat Architects, B-187160, December 13, 1977, 77-2 CPD 458. Based on our review, we think the agency reasonably determined that the protester's proposal was technically unacceptable.

Here, instead of drafting its own technical proposal, Space Age submitted various studies which generally explained the survey methods known as magnesium tracer range pole (MTRP) technology and laser range pole technology. The MTRP uses a pistol mounted on a tripod to shoot tracer bullets which are then sighted by theodolites, a survey instrument for measuring horizontal and vertical angles. The laser range pole uses a laser beam instead of tracer bullets. The theodolites are positioned at various points and once the angles are measured, the coordinates for a line run between the two points can be calculated. In addition, the protester submitted a cost proposal and also attached a cover page to the studies indicating that it would use the MTRP method and follow the "Laser Triangulation Technology" and that it would "run a true line between known coordinates."

With respect to the first evaluation criteria "Technical Approach," worth 55 points, the RFP set forth three subcriteria:

- (1) is the firm's approach the most feasible and economical method of performing the survey - 25 points;
- (2) the degree to which the proposal demonstrates an understanding of the methods, techniques, and procedures stated - 15 points;
- and (3) is the field and office productivity commensurate with the crew configuration and survey method proposed - 15 points.

With respect to these subcriteria, BLM reports that the MTRP was not a feasible survey method because of the dense "ground cover" in this area of Oregon. BLM advises that it is difficult for the tracer bullet or laser to penetrate the dense overgrowth or canopy cover common to this area of Oregon. Further, BLM determined that the protester's proposal did not indicate how it would post (mark) true lines (a major task of the RFP), assigned no crew members to this task and generally did not demonstrate that the firm had experience in this survey method.

Space Age received 11.25 points in the "Technical Approach" area. With respect to BLM's concern regarding the feasibility of using the MTRP method, the studies Space Age submitted as part of its technical proposal indicate that the method is useful "in locating boundary monuments in areas of difficult terrain * * * particularly where moderate obstructions to straight-line visibility exists." One study also stated that the laser range pole is designed to establish a line between two known corner points "where mountains, trees or other obstructions bar the way to conventional line of sight instruments." On the other hand, the studies also caution that these methods meet the requirements of certain surveys "where the terrain and vegetation indicate that such a method would be advantageous" and that when positioning a laser transmitter over a corner, an operator should make sure that there was "not a canopy cover directly overhead." In this connection, the RFP requires a contractor to run a true line between existent or temporary corners. A true line is a straight line between two points identified on the ground. Because of the mountainous terrain and canopy cover in the Coos County area, it may be necessary to sight the tracer bullet or laser at a height above any obstruction between the corners. Yet, as the studies indicate, canopy cover and vegetation could hamper the MTRP or laser method. This is because a bullet or laser simply could not penetrate the cover. Thus, we think that BLM reasonably concluded that it would not be feasible to use an MTRP system in the Coos County area.

As far as the other subcriteria are concerned, understanding of stated technique and productivity-crew configuration, while the studies indicate that Space Age

participated (although to what extent is not clear) in some of the MTRP experiments, neither they nor anything Space Age included in its proposal affirmatively demonstrate that the firm's employees possess the requisite skill or knowledge to apply the MTRP technology. Basically, the studies' experiments were conducted by employees of other Government agencies and a university professor. Finally, as noted earlier, while the protester's proposal indicates that it would run true lines, it did not show how it would post (mark) the true lines or allocate crew members to this task.

Space Age's proposal also suffered from other deficiencies with respect to other evaluation subcriteria. For the subcriteria "degree of experience in similar type projects," the protester listed two construction projects, a recreation project and a forest boundary project. While the latter project may involve work of similar complexity, the other projects listed involved a barracks complex, ammunition storage and recreation area, all of which are not similar to the work here. In addition, the protester's proposal did not demonstrate a knowledge of the logistical problems associated with this project, another evaluation subcriteria.

Using the above deficiencies in Space Age's technical proposal as examples, we think that BLM reasonably could determine that the protester's proposal was technically unacceptable.

Space Age contends that it has experience in and has helped to develop the MTRP technology. While we do not question these contentions, we have repeatedly stated that technical evaluations are not based upon expertise in the abstract, but upon the degree to which an offeror's written proposal adequately addresses the evaluation factors specified in the solicitation. See Didactic Systems, Inc., B-190507, June 7, 1978, 78-1 CPD 418; Robinson Industries, Inc., B-194157, January 8, 1980, 80-1 CPD 20. In our view, Space Age's proposal consisting of a number of MTRP studies without demonstrating how it would adapt this method to the Coos County area, without showing that it possessed the requisite expertise in the MTRP method, and without demonstrating that it had experience with projects of

similar complexity failed to adequately address the RFP's evaluation factors previously discussed.

The protest is denied.

Harry R. Van Allen

For the Comptroller General
of the United States