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**Comptroller General  
of the United States**

Washington, D.C. 20548

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# Decision

**Matter of:** Engineering Systems Consultants, Inc.

**File:** B-271619

**Date:** July 15, 1996

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Pamela J. Mazza, Esq., Andrew P. Hallowell, Esq., and Antonio R. Franco, Esq., Pintero, Mazza & Pargament, for the protester.

Thomas Duffy, Esq., Department of the Army, for the agency.

Mary G. Curcio, Esq., and John M. Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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## DIGEST

Protester's proposal was properly eliminated from the competitive range where the proposal did not adequately respond to request for statement of work and approach to performing statement of work for unit conversion such that this aspect of proposal would have to be completely rewritten to be considered for award.

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## DECISION

Engineering Systems Consultants, Inc. (ESCI) protests the elimination from the competitive range of the proposal it submitted in response to request for proposals (RFP) No. DAHA90-95-R-0024, issued by the National Guard Bureau for technical support and management assistance.

We deny the protest.

The solicitation included statements of work (SOW) for long range planning support, acquisition technical support and management assistance, and Air Force Test Center test and evaluation support.<sup>1</sup> It also required offerors to develop a SOW for Unit Conversion Support pursuant to instructions which were provided. Offerors were required to submit a technical proposal which addressed each SOW (including the unit conversion SOW), a management proposal, a past performance proposal, and a cost proposal. The technical proposal was to be evaluated against the following criteria:

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<sup>1</sup>The solicitation also included a SOW for general requirements which was not used for evaluation purposes.

Technical Approach  
PWS Approach  
Manhour Estimates

Staff Technical Expertise  
Depth of Knowledge  
Staff Experience

Demonstrated Corporate Experience  
Areas of Experience  
Quantity and Level of Experience  
Performance

The technical proposals were assigned a color-coded rating for each factor for each SOW, for the factor overall and for the technical proposal overall.<sup>2</sup> The evaluators also assigned proposal and performance risk ratings under each factor. The solicitation provided that the government would make up to three contract awards on a best value basis with technical factors considered most important in the award decision.

Four proposals, including the protester's, were received. Following the initial evaluation, ESCI's proposal was rated orange overall with high performance and proposal risk. In the technical area, ESCI's proposal was rated orange overall, with a yellow rating under technical approach and orange ratings under staff technical expertise and corporate experience. The agency concluded that ESCI's proposal could only be made acceptable with a major rewrite and therefore excluded it from the competitive range.

ESCI argues that the agency misevaluated its proposal, and that any deficiencies the agency did find could have been corrected during discussions had it been included in the competitive range.

In reviewing challenges to the exclusion of a proposal from the competitive range, we will not reevaluate the proposal; rather, our review is limited to determining whether the evaluation was reasonable and consistent with the RFP's evaluation scheme. International Resources Corp., B-259992, Apr. 14, 1995, 95-1 CPD ¶ 200. Agencies properly may eliminate a proposal from the competitive range where the proposal would require major revision to become acceptable. W.N. Hunter & Assocs.; Cajar Defense Support Co., B-237259; B-237259.2, Jan. 12, 1990, 90-1 CPD ¶ 52.

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<sup>2</sup>The ratings were blue--exceeds expectations; green--fully acceptable; yellow--marginally acceptable; orange--could be made acceptable; and red--unacceptable.

The agency found a number of deficiencies in ESCI's response to the different tasks. Its proposal was eliminated from the competitive range, however, primarily based on its response to the unit conversion task.

As a result of the defense downsizing and reconsideration of its role and mission, the Air National Guard (ANG) is changing the functions of several operational and support units. This solicitation required offerors to provide a SOW to support the ANG's conversion of an F-16 unit into a KC-135 unit. The instructions outlined the key tasks that offerors were expected to incorporate in the proposed SOW. In evaluating ESCI's proposal with respect to the unit conversion task, the agency found (1) ESCI's proposal did not include all required tasks; (2) ESCI had no corporate experience performing unit conversions, and had personnel with limited (generally as government employees) experience with aircraft conversions; and (3) ESCI's experience did not include tracking conversion programs or planning and supporting site activation task forces at the converting locations, tasks which were contemplated by the solicitation. The agency's biggest concern, however, was ESCI's approach to performing the unit conversion. Specifically, the agency found that ESCI's approach to performing the SOW it prepared for the unit conversion failed to address items that it included in the SOW as items it would perform. Instead, most of ESCI's approach discussed tasks that the government would be performing during the unit conversion. This led the agency to conclude that ESCI did not understand the requirement.

Our review confirms the agency's findings; ESCI did not address all requirements of the SOW. Specifically, ESCI did not task the activities to update the ANG's Unit Type Code (UTC) Management Information Systems (UMIS) Database and Force Structure Database, or address the requirements to track all financial aspects of execution of the conversion plan and provide forewarning of potential problem areas. Further, in providing its approach to performing the SOW it prepared, ESCI either failed to discuss tasks listed in its SOW, or mentioned the tasks without providing details as to how they would be performed and primarily focused on tasks that the government would perform. For example, in its SOW for the unit conversion, ESCI proposed to assist in determining petroleum, oil and lubricants (POL) delivery capability shortfall/excesses and to track acquisition/disposition of assets required for the new mission, including determining vehicle spares and maintenance manpower. In its approach to performing the SOW, however, ESCI's proposal did not discuss this task and provided no details regarding how ESCI would collect and track the data and report the information to the ANG.

As another example, while ESCI's approach stated that it would provide a risk assessment, including a funding analysis, after each proposed phase of the unit conversion, the proposal did not include information as to what this risk assessment would include, how it would be performed, or what reports the agency would receive. Instead, ESCI's proposed approach detailed the government's function at

each step of the conversion process. For example, ESCI's proposal stated that during the second phase of its four phase approach, ". . . [t]he unit will start to upgrade and enhance its facilities. Unit leadership will identify key flying and maintenance personnel who will start formal training courses." The proposal also states that this phase "[a]ffords that unit an opportunity to start training aircrew, maintenance, and support personnel without affecting the unit's operational status." These are all government, rather than support contractor, tasks. To the extent ESCI's proposal listed any tasks that it would perform as a support contractor, such as a funding analysis, as discussed above, the proposal did not provide any details about how the tasks would be performed.

ESCI does not dispute the agency's conclusion that it lacks corporate experience as a support contractor for unit conversions. ESCI does dispute the agency's conclusions regarding the experience of the personnel it proposed to perform the unit conversion, but ESCI's proposal provided almost no detail showing that its personnel had more than minimal unit conversion experience. ESCI argues that a chart included in its proposal showed the unit conversion experience of its team members. However, this chart does no more than list the team members, a project (presumably a conversion project), the place where the project was performed and the date it was performed.<sup>3</sup> The chart provides no information as to the named individual's function during the project. Even where ESCI did attempt to provide information regarding the experience of its key personnel in performing unit conversions, it did so without providing any detail and did not show that the employee had extensive experience. For example, the resume of one key team member provides simply, "[a]s Director of (a government unit) he negotiated acquisition and modification contracts for four unit conversions," and "[h]e tracked conversion programs for modifying budget allocations from the National Guard Bureau"; the resume does not provide any information about specific duties under the program, which is the kind of detail the agency required to evaluate personnel experience. Accordingly, the agency had no basis to conclude that ESCI's proposed personnel had adequate experience.

Our review thus supports the agency's position that ESCI's proposal did not address or demonstrate an understanding of the unit conversion task. For its proposal to become eligible for award, ESCI would have to revise its SOW for the unit conversion task to address the activities to update the UMIS Database and Force Structure Database and to track all financial aspects of execution of the conversion plan and provide forewarning of potential problem areas. In addition, ESCI would

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<sup>3</sup>The chart information was laid out as follows, with no explanation of the entries:

<u>Name</u>	<u>Old</u>	<u>New</u>	<u>Place</u>	<u>Time Frame</u>
xxxx	MH-53	HH-3	Hurlburt Field	1989

have to completely rewrite the section of its proposal dealing with its approach to the unit conversion task to discuss tasks that the contractor would be required to perform and to provide details as to how those tasks would be carried out. This would also require the protester to revise its proposed level of effort. Even with those changes made, since ESCI does not have support contractor experience with unit conversions, ESCI would be unable to improve this aspect of its proposal. We conclude that the deficiencies in ESCI's proposal were sufficiently substantial that the agency reasonably determined it would have to be substantially rewritten to be eligible for award. The agency thus was justified in eliminating ESCI's proposal from the competitive range.

The protest is denied.

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