



**G A O**

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**Comptroller General  
of the United States**

**United States Government Accountability Office  
Washington, DC 20548**

# Decision

**Matter of:** The Severson Group

**File:** B-298195

**Date:** June 9, 2006

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Robert E. Severson for the protester.  
Phillipa L. Anderson, Esq., Department of Veterans Affairs, for the agency.  
Jeanette M. Soares and James A. Spangenberg, Esq., Office of the General Counsel,  
GAO, participated in the preparation of the decision.

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## **DIGEST**

Agency reasonably determined a quotation was technically unacceptable where protester failed to submit the training certificates required by the solicitation.

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## **DECISION**

The Severson Group (TSG) protests the Department of Veteran Affairs' (VA) determination that the firm's quotation in response to request for quotations (RFQ) No. 600-532-06JS was technically unacceptable. TSG also protests the cancellation of the RFQ because no technically acceptable quotations were received.

We deny the protest.

The VA issued the RFQ to provide rodent control services at several VA cemeteries in California as a set-aside for Service-Disabled Veteran-Owned Small Businesses (SDVOSB). Quotations were to be evaluated based on the following evaluation factors: (1) technical capabilities, (2) past performance and (3) cost/price. There were five subfactors within the technical capabilities factor. Subfactor 1a required submission of a business license to perform rodent control. Subfactor 1b required the "names and copies of training certificate/documents and the number of years experience of contractor personnel performing rodent control." RFQ at 36.

TSG and another SDVOSB concern submitted quotations. TSG's quotation included Terminix as a subcontractor and Terminix's business license for rodent control.

TSG did not produce its own license for rodent control. While TSG's quotation included the names and number of years of experience in rodent control of some Terminix personnel, it failed to provide training certificate/documents for either TSG's personnel or Terminix's personnel.

The VA found TSG's quotation technically unacceptable because it did not (1) include TSG's business license for rodent control and (2) provide training certificate/documents for either TSG or Terminix personnel. The VA found the other SDVOSB concern's quotation to be technically unacceptable as well. Faced with no technically acceptable quotations from SDVOSBs, the VA cancelled the RFQ and reissued it as a set-aside for small-businesses. Following a debriefing, TSG filed this protest.<sup>1</sup>

TSG protests the VA's determination that its quotation was technically unacceptable. The protester argues that the solicitation did not state that the prime contractor had to hold the business license for rodent control, so that its submission of Terminix's license satisfied the RFQ's terms. TSG also argues that subfactor 1b did not require individual training certificates and its submission of Terminix Branch Office Registrations suffices to satisfy this requirement. TSG contends its quotation therefore should have been considered technically acceptable and it should have received an award under the original solicitation.

In reviewing an agency's technical evaluation, we will not reevaluate vendors' submissions; rather, we will examine the record to ensure that the evaluation was reasonable and consistent with the evaluation criteria and with procurement statutes and regulations. See Maritime Mgmt., Inc., B-260311.2, B-260311.3, July 11, 1995, 95-2 CPD ¶ 11 at 4. We have found that failure to submit training certificates or documents as required by a solicitation is a reasonable basis for rejecting quotations as technically unacceptable. Verizon Fed., Inc., B-293527, Mar. 26, 2004, 2004 CPD ¶ 186 at 5; see Techseco Inc., B-284949, June 19, 2000, 2000 CPD ¶ 105 at 3 (rejection of proposals as technically unacceptable was reasonable where request for proposal required submission of two training certificates for each engineer and the proposal included no applicable certificates).

We find that TSG failed to comply with the RFQ's terms because its quotation did not include the required training certificates. TSG's allegation that the RFQ did not ask for training certificates for individuals is contrary to the RFQ's plain language, which

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<sup>1</sup> TSG complains that the contracting officer provided an indefinite and ambiguous debriefing. Our Office will not review a protester's contention that the debriefing it received was inadequate because the adequacy of a debriefing is a procedural matter concerning an agency's actions after award, which are unrelated to the validity of the award itself. Symplicity Corp., B-297060, Nov. 8, 2005, 2005 CPD ¶ 203 at n.4.

requires training certificate/documents for “contractor **personnel** performing rodent control.” RFQ at 36 (emphasis added). TSG’s allegation that it did submit training certificates is also not supported by the record. The documents TSG identified in its quotation as “training certificates for each of the three VA participating facilities” are Branch Office Registrations. See Letter from Protester to GAO (May 15, 2006). These documents, issued by the California Structural Pest Control Board, signify the listed Terminix office’s registration with the Board as a corporation. On their face, these documents do not constitute training certificates for personnel. Because TSG did not comply with technical capability subfactor 1b’s requirement for training certificates, the agency reasonably deemed its quotation technically unacceptable.

TSG’s allegation that the VA should have asked for the missing training certificate/documents is without merit. Vendors bear the burden for failing to submit an adequately written quotation and contracting agencies are not obligated to go in search of needed information which the vendor has omitted or failed adequately to present. See Fluor Daniel, Inc., B-262051, B-262051.2, Nov. 21, 1995, 95-2 CPD ¶ 241 at 8. Thus, the agency was not required to give TSG an opportunity to supplement its quotation in order to make it conform to the RFQ’s terms.<sup>2</sup>

Since the VA received two quotations under the RFQ and found neither to be technically acceptable, the agency had a reasonable basis to cancel the RFQ. See Federal Acquisition Regulation § 52.219-27(b)(2) (set-asides for SDVOSBs must be awarded to an SDVOSB); Sunshine Kids Serv. Supply Co., B-292141, June 2, 2003, 2003 CPD ¶ 119 at 2 (small business set-aside reasonably cancelled when no technically acceptable proposals were received).

The protest is denied.

Anthony H. Gamboa  
General Counsel

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<sup>2</sup> Since we conclude that the agency reasonably determined TSG’s quotation to be technically unacceptable because it lacked training certificate/documents as requested by the RFQ, we need not address protester’s allegations that under the RFQ’s terms TSG could rely on its subcontractor’s business license for rodent control rather than its own license and that the contracting officer improperly inquired about the nature of the business relationship between TSG and its subcontractor.