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Comptroller General
of the United States

United States Government Accountability Office
Washington, DC 20548

Decision

Matter of: Integrate, Inc.

File: B-296526

Date: August 4, 2005

Michael D. Crouch, Ph.D., for the protester.
Kenneth A. Redden, Esq., Environmental Protection Agency, for the agency.
Sharon L. Larkin, Esq., and James A. Spangenberg, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protester's quotation to provide environmental data management software was reasonably rejected as technically unacceptable where quotation did not demonstrate that the proposed software satisfied the "essential requirements" of the solicitation.

DECISION

Integrate, Inc., protests the award to EarthSoft, Inc. under request for quotations (RFQ) No. RFQ-GA-05-00012 issued by the Environmental Protection Agency (EPA) for environmental data management software.

We deny the protest.

The RFQ, issued as a combined solicitation/synopsis, sought software to manage environmental data from various programs administered by Region 4 of the EPA, and included related licenses, ancillary software, and maintenance support.

The RFQ stated that the environmental data management software procured had to be "easy to use" and have a "browser-based interface that will allow casual users to generate standard tables, reports, and charts based on specified criteria." RFQ ¶ 2. To achieve this, the RFQ contained a number of "essential requirements." For example, the system was required to be "non-proprietary," allow for the "easy or transparent exchange of data with EPA Region 4 member[s] . . . [and] natively support the Region 5," and be capable of supporting "100+ users." *Id.* ¶¶ 3.d, 3.h, 3.n. The source code and data model was to be "made available so that the EPA Region 4 may make any modifications to the system that are deemed necessary or desirable."

Id. ¶ 3.c. The system was to have the ability to “place data (such as a queried subset) into and tightly integrate with other software without the user having to manually export, then import it (for example, into Microsoft Excel for graphing, ArcGIS for mapping, Surfer 8.5 for contouring, RockWorks 2002 for boring logs, etc.),” and to allow for importing data via integration with “Lotus Notes e-mail.” Id. ¶¶ 3.l, 3.m. The RFQ also required that vendors provide past performance information “where same software systems, including [the] current proposed version, were provided to a customer similar in size to an EPA Region Office or State Organization.” Id. at 3.

Integrate and four other firms submitted quotations in response to the RFQ. Integrate proposed to provide its “TerraBase [version] 3.0” software, but did not submit past performance references identifying persons that had actually used this software. Instead, all nine of Integrate’s references were users of a previous version of the TerraBase software, version 2.7.1.¹ The agency contacted these references, but they could not confirm whether Integrate’s proposed system met the “essential requirements” of the RFQ.

The agency advised Integrate that the firm’s “quotation, as submitted, lacked sufficient information for [the EPA] to determine whether it met the requirements of the RFQ,” and asked Integrate to provide additional information to support its claims. Contracting Officer’s Statement at 2. Integrate responded with two e-mails containing 40 .pdf file attachments containing “screen shots,” a sales brochure, and “frequently asked questions.”

After reviewing this information, the agency determined that Integrate’s quotation was technically unacceptable. In this regard, the agency found that Integrate did not adequately address a number of the “essential requirements” of the solicitation, in some cases merely restating the solicitation requirement without addressing how the proposed software addressed the requirements. It noted that the screen shots and marketing materials did not illustrate technical acceptability, and in some instances demonstrated that the software was technically unacceptable. For example, one of the “essential requirements” was that the software “be capable of generating cross-tab tables of data in various formats,” RFQ ¶ 3.j, but Integrate’s screen shots for the TerraBase 3.0 software showed that the .pdf format was not supported. In other instances, such as where Integrate claimed that its software could interface with third-party ancillary software through an Open Database Connectivity (ODBC) link, the agency contacted the software companies and confirmed that the software “does not support an ODBC link.” The past performance references, too, could not confirm technical acceptability, since Integrate failed to provide references that used

¹ One reference could not recall which version of software he used, but confirmed that “ArcGIS” software was not supported by the version he was using, as was required to satisfy one of the “essential requirements.” Agency Report (AR), Tab 11, Integrate’s Technical Evaluation, at 2.

the proposed TerraBase 3.0 software, as was required by the RFQ. AR, Tab 11, Integrate's Technical Evaluation, at 1-4.

The agency notified Integrate that its quotation was technically unacceptable and that award was made to EarthSoft in the amount of \$87,440.00. Integrate protested to our Office, contending that the agency's finding of technical unacceptability was unreasonable and that Integrate's lower-priced quotation of \$77,943.10 should have been selected for award.

Our Office reviews challenges to an agency's technical evaluation to determine whether the agency acted reasonably and in accord with the solicitation's evaluation criteria and applicable procurement statutes and regulations. Godwin Corp., B-2902941, June 17, 2002, 2002 CPD ¶ 103 at 3. It is a vendor's burden to submit an adequately written quotation and it runs the risk that its quotation will be evaluated unfavorably where it fails to do so. Id. On the record before us, we find no basis to question the reasonableness of the agency's evaluation of Integrate's quotation.

Our review of Integrate's proposal confirms that the firm did little more than repeat without elaboration the requirements of the RFQ, which led the agency to reasonably question whether the proposed software would in fact satisfy the "essential requirements" of the RFQ. The record further shows that the agency reasonably found that neither the screen shots, marketing material, nor third-party software vendors sufficiently demonstrated technical acceptability, and in fact proved to the agency, in at least two instances (e.g., ability to support the .pdf format and interface with third-party software), that the Terrabase 3.0 software did not meet "essential requirements" of the RFQ. With regard to past performance references, Integrate failed to identify current users of the system, as was required by the RFQ, and on this basis alone, its proposal could have been rejected.² Although, during the development of this protest, Integrate provided to our Office a detailed chart asserting, for each of the "essential requirements," its disagreement with the agency's assessment of technical unacceptability, Integrate does not explain, nor does its

² Integrate complains that the agency improperly considered comments from its identified references in evaluating technical acceptability; however, we find nothing unreasonable in the agency's use of past performance to determine whether the product it is seeking performs as asserted. Given that the RFQ specified that references were to be users of the proposed software and Integrate did not provide such references, we cannot find the agency unreasonable for doubting technical acceptability of the TerraBase 3.0 here.

quotation show, how the TerraBase 3.0 meets the RFQ's "essential requirements." In sum, it has not shown the agency's conclusions that its quotation was unacceptable to be unreasonable.³

The protest is denied.

Anthony H. Gamboa
General Counsel

³ Integrate complains that one of the evaluators was biased against the firm. However, Integrate's representative admitted during a telephone conference with our Office on July 19, 2005 that he was aware of this individual's participation in the evaluation "within a few days" of the May 25, 2005 award and had raised concern with the contracting officer at that time that the evaluator was biased against the firm. However, Integrate failed to raise these allegations in its initial protest, and thus this protest ground is untimely. 4 C.F.R. § 21.2(a)(2) (2005).