

**DECISION**

84957  
**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548**

**FILE:** B-210201**DATE:** April 22, 1983**MATTER OF:** Burroughs Corporation**DIGEST:**

1. Protest that the evaluation scheme employed by the agency was inconsistent with the criteria listed in the request for proposals (RFP) is denied where the description contained in the RFP adequately supports the weights which were utilized.
2. Protest that award to higher scored but higher priced offeror should have been supported by a specific determination that the technical superiority of the proposal warranted the additional costs involved is denied where record indicates that such a determination could have been made and that the award was in accordance with the criteria set forth in the solicitation and had a rational basis.

Burroughs Corporation (Burroughs) protests the award to Technicon Data Systems Corp. (TDSC) for hospital information systems to be installed at the William Beaumont Army Medical Center, El Paso, Texas, under request for proposals (RFP) No. MDA903-81-R-0055 issued by the ~~Defense~~ Supply Service-Washington. Burroughs essentially contends that the evaluation of its proposal was inconsistent with the evaluation criteria set forth in the RFP and that the award to TDSC is objectionable because of the additional cost of TDSC's proposal. We deny the protest.

The RFP was for three hospital information systems, on a fixed-price basis, to be delivered and installed in three separate military hospitals. Offerors could submit proposals for one, two or all three systems. The RFP set forth, in descending order of importance, the following evaluation criteria:

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Factor (i) - System Performance  
Factor (ii) - System Life Cost Evaluation  
Factor (iii) - Offeror Experience

Although the exact weight to be accorded each factor was not specifically set forth in the RFP, it was stated that Factor (i) was most important, being equal to approximately one-half of the total points, and that Factor (ii) was much more important than Factor (iii). The RFP also stated that the award was to be made to the offeror receiving the highest combined score (technical and cost) for each system.

Burroughs contends that the evaluation of its proposal was based upon the following: Factor (i) and (iii) - 70 percent and Factor (ii) - 30 percent. Burroughs believes that this evaluation scheme violates the RFP, since it apparently gave a greater weight to technical factors than could reasonably have been anticipated by Burroughs from a reading of the RFP.

Based upon our review of the record, however, we find nothing which would indicate that the evaluation scheme employed by the Defense Supply Service was inconsistent with the RFP. The actual weights assigned to the three evaluation factors were as follows:

Factor (i) - 55 percent  
Factor (ii) - 35 percent  
Factor (iii) - 10 percent

We believe that the description of the weighting of the evaluation criteria set forth in the RFP adequately supports the actual weights which were utilized. See Kay and Associates, Inc., B-190866, May 11, 1978, 78-1 CPD 361. Accordingly, we find that the evaluation of Burroughs' proposal was consistent with the evaluation scheme set forth in the RFP.

Burroughs also contends that the acceptance of TDSC's higher scored but higher priced proposal should have been supported by a specific determination that the technical superiority of the proposal warranted the additional costs involved. In this regard, Burroughs argues that there could be no rational justification for the award to TDSC since

there was only a four-point overall differential between the two proposals, while there was over a \$2 million difference in their cost. TDSC's evaluated system life cost was \$8,396,794 and Burroughs' was \$6,213,857. TDSC's point scores were 65 for Factors i and iii and 26 points for cost or 91 total points. Burroughs received 52 points for Factors i and iii and 35 for cost or 87 total points.

We have often held that where cost is assigned points as an evaluation factor along with other factors, the fact that a proposal receives the highest number of points does not in and of itself justify acceptance of the highest rated proposal without regard to price. Todd Logistics, Inc., August 9, 1982, 82-2 CPD 157; Timberland-McCullough, Inc., B-202662, B-203656, March 10, 1982, 82-1 CPD 222. The basis for the selection must be stated or otherwise contained in the record. The University Foundation, California State University, Chico, B-200608, January 30, 1981, 81-1 CPD 54. Even assuming that the Defense Supply Service did not make a formal determination that the extra cost associated with TDSC's offer was justified, as Burroughs contends, we find that such a determination could have been made and that, in fact, the Defense Supply Service did consider this matter before making the award to TDSC and concluded that based on the capabilities of the TDSC system and the deficiencies in the Burroughs' system, award to TDSC was in the best interest of the Government. See Todd Logistics, Inc., supra.

In the present case, technical was weighted at 65 percent of the total, while cost was weighted at approximately one-half the value of technical. The costs associated with TDSC's proposal were approximately 35 percent higher than Burroughs'. TDSC was rated 25 percent higher in the technical area (65 versus 52). Since technical was approximately twice as important as cost, the extra expenditure was justified.

Furthermore, the system proposed by Burroughs was determined to have several significant defects and weaknesses which would greatly impact its use at the William Beaumont Army Medical Center. The system will be utilized by doctors, nurses, technicians and clerks, and the staff will rely almost totally on the system after installation and, therefore, a high degree of reliability is required. Following the benchmark, it was determined that Burroughs

did not meet this reliability. In addition, response time was poor and input of results data was cumbersome. In these circumstances, we cannot agree with Burroughs' contention that TDSC's proposal was selected without due regard to price or that its selection cannot be rationally justified.

The protest is denied.

*for* *Harry D. Jan Cline*  
Comptroller General  
of the United States