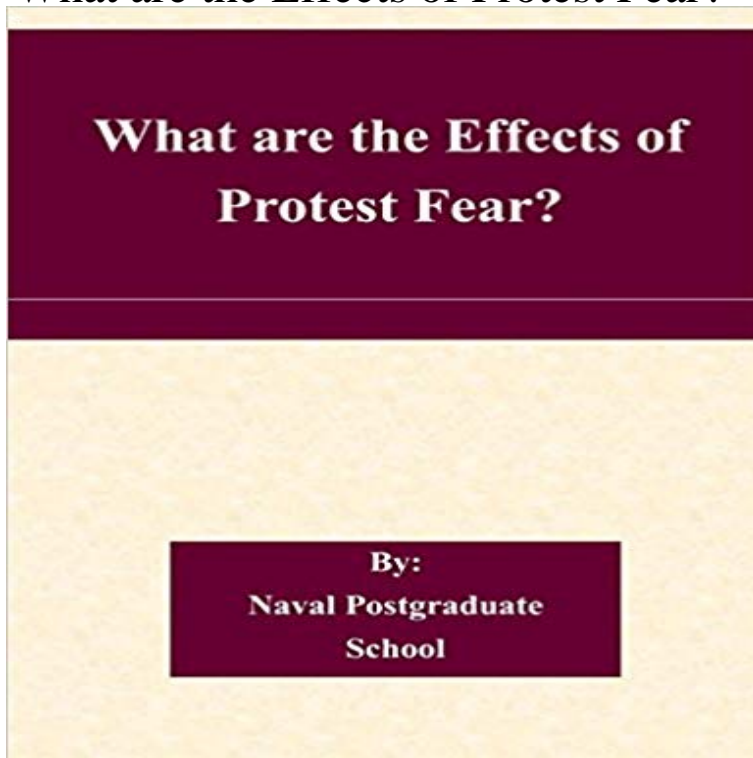


What are the Effects of Protest Fear?



Fear of the real or perceived consequences of receiving a bid protest exists. U.S. Navy contracting officers have some concern of protests. This concern can be linked to certain consequences on acquisition strategies. There is enough qualitative and quantitative empirical evidence to suggest that fear of protest can impact what would otherwise be prudent business decisions. The greatest concerns are a few instances of inappropriate uses of lowest price technically acceptable and the reduced technical evaluation effectiveness attributed to fear of protests. If fear waters down the source selection hindering its ability to distinguish between the true value of offers, then contracting officers must ask themselves why go through the trouble of a best-value source selection? Could contracting officers simply award to the low bidder? To what extent is the set of stringent source selection rules driving the acquisition team to this result by default (i.e., regardless of source selection method actually employed)? Thus, for the sake of stringent, fairness-based rules, contracted outcomes can be compromised. Whether the tradeoff is prudent remains to be determined. Further research is needed to ascertain these other culprits, then compare the relative effects of fear of protest among other factors.

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