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

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## Decision

**Matter of:** Strijder Group K9, LLC

**File:** B-409139.2

**Date:** May 1, 2014

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Abram J. Pafford, Esq., Pafford Lawrence & Childress PLLC, for the protester. John J. O'Brien, Esq., Gabriel E. Kennon, Esq., Amy J. Spencer, Esq., and Nicole Picard, Esq., Cohen Mohr LLP, for Cobra Canine, LLC, an intervenor. Behn M. Kelly, Esq., Department of the Air Force, for the agency. Peter D. Verchinski, Esq., and Guy R. Pietrovito, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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### DIGEST

Protest challenging agency's evaluation of protester's and awardee's personnel experience is denied where record shows that the agency's evaluation was reasonable and consistent with the terms of the solicitation.

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### DECISION

Strijder Group K9, LLC, of Virginia Beach, Virginia, protests the award of a contract to Cobra Canine, LLC, of Chesapeake, Virginia, under request for proposals (RFP) No. H92240-13-R-0013, issued by the U.S. Special Operations Command for canine training and related services. Strijder challenges the agency's evaluation of proposals.

We deny the protest.

### BACKGROUND

The RFP, issued as a small business set-aside, provided for the award of a fixed-price contract for canine training, kennel support, and related travel for the Naval Special Warfare Command for a base and 4 option years.<sup>1</sup> A detailed statement of work (SOW) described the required services. The RFP required

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<sup>1</sup> The Naval Special Warfare Command is part of the U.S. Special Operations Command. Agency Report (AR) at 2.

offerors to propose a canine lead trainer, six canine trainers, and kennel support personnel. See RFP at 3-7; SOW at 1.

Offerors were informed that award would be made on best-value basis considering the following factors: technical capability, past performance, and price. The solicitation stated that the combined weight of technical capability and past performance was significantly more important than price. RFP at 27. The RFP provided that the proposals under the technical capability factors would be adjectivally rated as exceptional, very good, satisfactory, marginal, or unsatisfactory.<sup>2</sup> Id. at 28.

The technical capability factor included the following two subfactors: management approach and qualifications/experience of personnel. As relevant here with respect to the qualifications/experience of personnel subfactor, offerors were required to provide detailed resumes demonstrating that their proposed key personnel satisfied SOW experience requirements. Id. at 26. Canine trainers were required to have a minimum of five years experience (within the past seven years) in the training/handling of both detection (narcotics and/or explosives) dogs and standard patrol dogs. SOW at 3.

The agency received nine proposals, including Cobra's and Strijder's. The agency established a competitive range and conducted discussions with the offerors. Cobra and Strijder were both informed that the experience of their key personnel was found to be deficient. In this regard, both offerors were warned that

[d]ates associated with specific experience must be clearly stated. For example, timeframes which incorporate multiple assignments must specify the time and experience related to this solicitation's requirement; overlapping years should be clarified with specific dates, and vague experience descriptions require more definition. It is the offeror's responsibility to provide the detail required by [the] RFP to document technical capability.

AR, Tab 14, Cobra Discussion Letter, at 2; Tab 15, Strijder Discussion Letter at 2.

Following the receipt of revised proposals, the agency selected Cobra's proposal as the best value to the government. Strijder was informed that its revised proposal received a marginal rating under the qualifications/experience of personnel subfactor because two of Strijder's required canine trainers did not meet the SOW experience requirements. See AR, Tab 17, Strijder Debriefing Letter, at 2. Strijder protested to our Office, challenging the agency's evaluation of proposals and selection decision.

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<sup>2</sup> The RFP provided that the past performance evaluation factor would receive relevance and confidence ratings.

Prior to submitting a report in response to the protest, the agency stated that it would take corrective action by conducting new discussions, obtaining revised proposals, and making a new selection decision. Strijder withdrew its protest in response to the proposed corrective action.

The agency reopened discussions with Strijder and other offerors.<sup>3</sup> Strijder was again informed of the deficiencies in its proposal relating to its proposed personnel, and also informed that the agency had received no past performance references. AR, Tab 20, Discussions Letter. With regard to the deficiencies pertaining to Strijder’s personnel, the agency told Strijder that the agency had

determined that there was not sufficient detail in your proposal with regard to two of your canine trainers to demonstrate that they met the qualification/experience requirements. Broad timeframes at a position without specific details showing when they performed the required experience is not sufficient. These deficiencies remain and must be addressed.

Id. In response to the agency’s concerns, Strijder submitted a revised proposal, which, among other things, provided a number of different canine trainers. AR, Tab 23, Strijder’s Proposal. Strijder’s and Cobra’s final proposals were evaluated as follows:

		<b>Cobra</b>	<b>Strijder</b>
Technical Capability		Very Good	Marginal
	Management Approach	Satisfactory	Very Good
	Quality/Experience of Personnel	Very Good	Marginal
Past Performance		Very Relevant/ Substantial Confidence	Somewhat Relevant/ Unknown Confidence
Price		\$7,389,925	\$6,933,743

AR, Tab 31, Business Clearance Memorandum, at 3, 6.

<sup>3</sup> The agency states that it did not conduct further substantive discussions with Cobra concerning its proposal, because the awardee’s proposal did not have significant weaknesses or deficiencies. AR at 6.

The agency again rated Strijder's proposal as marginal under the qualifications/experience of personnel subfactor and technical capability factor, because two of Strijder's newly-proposed canine trainers failed to meet the requirement for 5 years of experience with both detection and patrol dogs. Specifically, the agency found that one proposed trainer had only demonstrated 4.6 years experience with detection dogs, and 2.3 years experience with patrol dogs, and that the other trainer had only demonstrated 1.6 years experience with detection dogs and less than a year of experience with patrol dogs.<sup>4</sup> Id. at 7.

The contracting officer, the selection authority for this procurement, concluded that the strengths associated with Cobra's higher-rated technical proposal, along with its substantial confidence past performance rating, outweighed Strijder's lower price. AR, Tab 31, Business Clearance Memorandum, at 9. The agency again selected Cobra's proposal as the best value, and this protest followed.

## DISCUSSION

Strijder challenges its marginal rating under the qualifications/experience of personnel subfactor, arguing that its proposed canine trainers satisfy the experience requirements. With respect to the two canine trainers whose experience the agency found deficient, Strijder contends that the agency unreasonably failed to credit these individuals with relevant canine training experience identified in the firm's proposal.

The agency responds that it consistently reviewed the experience identified for offerors' proposed canine trainers to determine whether a firm's proposal documented a trainer's actual experience in training detection and patrol dogs. See Supp. AR at 3. The agency also states that, in addition to reviewing information in the offerors' proposals, the agency considered other information available to the agency concerning a proposed trainer's experience. See id. (both Strijder and Cobra were given credit for experience that was obtained by the agency from sources other than the proposal).

In reviewing protests challenging the evaluation of proposals, we do not conduct a new evaluation or substitute our judgment for that of the agency but examine the record to determine whether the agency's judgment was reasonable and in accord with the RFP evaluation criteria. Panacea Consulting, Inc., B-299307.4, B-299308.4, July 27, 2007, 2007 CPD ¶ 141 at 3. An offeror has the burden of submitting an adequately written proposal, and it runs the risk that its proposal will be evaluated unfavorably when it fails to do so. Recon Optical, Inc., B-310436, B-310436.2, Dec. 27, 2007, 2008 CPD ¶ 10 at 6. A protester's disagreement with

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<sup>4</sup> In calculating the amount of a canine trainer's experience, the agency divided the number of days identified for a trainer in a particular position by 365. See AR at 10.

an agency's judgment is not sufficient to establish that an agency acted unreasonably. Entz Aerodyne, Inc., B-293531, Mar. 9, 2004, 2004 CPD ¶ 70 at 3.

Here, the record supports the agency's determination that Strijder did not demonstrate sufficient relevant experience for two of its six proposed canine trainers. The agency found that, although Strijder's final revised proposal included a "summary of changes" chart purporting to show that these two trainers had the requisite amount of experience, the detailed resumes for these individuals indicated that some of the claimed experience was for work that did not involve actual training of dogs. For example, Strijder's summary chart identified that one of its proposed trainers had 1.5 years of relevant experience in training both patrol and detection dog teams, see AR, Tab 23c, Protester's Proposal, at 2, but the resume provided for this trainer showed that this experience was in managing/supervising other training personnel, rather than training dogs. Id. at 28. As another example, Strijder's summary chart for the other canine trainer claimed a year's experience in training patrol and detection dog teams, although the resume provided for the trainer indicated that this experience primarily encompassed a broad range of security services, and only briefly mentioned the training of dog handlers (as opposed to training dogs). Id. at 2, 23.

As a result, we find nothing unreasonable with the agency's review of Strijder's proposal, including the required resumes, to determine whether the protester had sufficiently demonstrated that its canine trainers possessed the requisite experience. Although Strijder disagrees with the agency's judgment in this regard, it has not shown the agency's evaluation to be unreasonable.<sup>5</sup>

Strijder also protests that the agency evaluated its and Cobra's proposals unequally. Protester's Comments at 6. In support of this, the protester argues that the agency credited two of the awardee's canine trainers with experience that was not demonstrated in their resumes. Id. In this regard, the protester argues that, for one trainer, the agency filled in "dates and experience details that were omitted from Cobra's proposal," and, for another trainer, the agency credited the individual with

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<sup>5</sup> The protester raises several other challenges to the agency's failure to credit its two trainers with relevant experience. We have considered all of Strijder's complaints, and find that none provides a basis to sustain the protest. For example, the protester complains that the agency failed to credit one of its canine trainers with several years of canine training experience that this individual claimed for assisting as a volunteer. Protest at 5. The agency explains that it did not credit this experience because it did not view assisting with canine training to be sufficiently similar to being a trainer responsible for conducting or leading the training. Supp. AR at 15. The protester did not respond to, or otherwise challenge, the agency's explanation in this area.

years of experience despite a resume that only showed a receipt of a training certificate during this time. Id.

We find no merit to this protest contention. The agency explains that both firms were credited with experience that was not directly shown in their proposals but of which the agency was aware. For example, with respect to the trainer for whom Cobra failed to provide certain dates and detailed information, the agency states that this individual was a trainer under the incumbent contract and the agency was aware of the work performed.<sup>6</sup> Supp. AR at 6-7. With respect to the other trainer, the agency states that, contrary to the protester's allegation, this individual's resume indicated that his experience was as a "Patrol Division K9 Deputy/Trainer/Handler," and affirmatively stated his responsibility for training canines in detection and patrol.<sup>7</sup> Supp. AR at 6; AR, Tab 24c, Cobra Proposal, at 28. In this regard, the agency notes that Cobra was only credited for experience beginning from the date this individual received his training certificate. See AR, Tab 30, Cobra Qualifications and Experience of Personnel, at 2. Given that the record supports the agency's explanations, we find the agency's evaluation in this regard to be reasonable.

The protest is denied.

Susan A. Poling  
General Counsel

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<sup>6</sup> Similarly, the agency credited Strijder's proposed lead canine trainer for experience not specifically shown on the resume Strijder provided, where the agency was aware of this experience from resumes provided for this individual by other offerors. Supp. AR at 7-8.

<sup>7</sup> The protester also argues that it was improper for the agency to credit this trainer with experience because the trainer's resume did not identify a time period for this work. We disagree. While the protester is correct that this experience is listed under a heading, "Continued Training, Education & Experience," which lacks a specific time period associated with it, it is apparent from the resume as a whole that this "Continued Training, Education & Experience" pertains to the time the trainer was a Patrol Division K9 Deputy/Trainer/Handler, and the resume provided a specific time period for when the trainer was the K9 Deputy/Trainer/Handler. See AR, Tab 24c, Cobra Proposal, at 28.