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Decision

Matter of: Beshenich Muir & Associates, LLC

File: B-421178

Date: January 6, 2023

Jon D. Levin, Esq., W. Brad English, Esq., Emily J. Chancey, Esq., Joshua Duvall, Esq., and Nicolas Greer, Esq., Maynard Cooper & Gale PC, for the protester.
William B. Phillips, Esq., and John Prairie, Esq., Wiley Rein LLP, for Delta Solutions & Strategies, LLC, the intervenor.
Erika Whelan Retta, Esq., and James B. Leighton, Esq., Department of the Air Force, for the agency.
Emily R. O'Hara, Esq., and Peter H. Tran, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest challenging the agency's evaluation of the protester's proposal is denied where the evaluation was reasonable, consistent with the terms of the solicitation, and did not employ unstated evaluation criteria.

DECISION

Beshenich Muir & Associates, LLC (BMA), of Huntsville, Alabama, protests the issuance of a task order to Delta Solutions & Strategies, LLC, of Colorado Springs, Colorado, under Fair Opportunity Proposal Request (FOPR) No. FA7014-22-R-0037, issued by the United States Space Force (USSF) for advisory and assistance services. The protester contends that the evaluation of BMA's proposal was unreasonable because the evaluation relied on unstated evaluation criteria.

We deny the protest.

BACKGROUND

The FOPR, issued on August 1, 2022, pursuant to the procedures of Federal Acquisition Regulation (FAR) subpart 16.5, was issued under the General Services Administration's One Acquisition Solution for Integrated services (OASIS) governmentwide acquisition contract (GWAC) for small businesses. Agency Report (AR), Tab 13, FOPR at 1. The FOPR sought advisory and assistance services for the

United States Space Force Headquarters and Office of the Chief of Space Operations (CSO), Chief Strategy and Resourcing Office in the National Capital Region. Memorandum of Law (MOL) at 1. Specifically, the performance work statement (PWS) required the contractor to provide services in the following categories to support Space Force-sponsored space missions and space-related efforts:

(1) management and professional services; (2) enterprise integration, architecture/requirements development, and analysis; (3) Planning, Programming, Budgeting & Execution (PPB&E) support; (4) strategy development and integration; (5) administration and management of service-level security cooperation programs, policies, strategies, plans, guidance, and support to global defense posture planning; (6) develop service-level space Security Cooperation (SC) policy and programs, SC engagement plans, and SC Assessment, Monitoring, Evaluation (AM&E) reports in coordination with SAF/IA [Secretary of the Air Force, International Affairs]; (7) determining future service force requirements, formulating policies and technical standards; (8) advocating for changes to training and professional military education to meet future needs; (9) formulating policies for experimentation and war-gaming to test service concepts; (10) building partnership agreements with academic institutions to advocate for research and professional development opportunities; and (11) formulating policies for Service lessons learned.

AR, Tab 14, PWS at 3. The agency contemplated the issuance of a fixed-price task order for one base year, and four 1-year options. FOPR at 1.

Task order award was to be made on a best-value tradeoff basis, considering the following evaluation factors: prior experience, technical capability, and price. *Id.* at 9. The evaluation was to be conducted in multiple steps. During Step 1, the agency would evaluate offerors' prior experience on an acceptable/unacceptable basis. *Id.* at 7-8. All offerors that received a rating of acceptable would continue to Step 2, where the agency would evaluate the offerors' technical capability.¹ *Id.* at 8. Offerors that received ratings of acceptable or better under the technical capability factor would continue to Step 3, where the Space Force would evaluate offerors' proposed pricing. *Id.* During Step 4, the agency would perform a best-value tradeoff analysis, where technical capability was considered more important than price. *Id.* at 8.

Two offerors submitted proposals for the requirement, Delta and BMA. The table below summarizes the agency's evaluation of proposals:

¹ The technical capability factor was comprised of three "focus areas": staffing approach, management approach, and technical approach. The evaluation of this factor would result in one overall adjectival rating of: outstanding, good, acceptable, or unacceptable. FOPR at 10-11.

	BMA	Delta Solutions
Prior Experience	Acceptable	Acceptable
Technical Capability	Unacceptable	Good
Price	Not Evaluated	\$47,175,649.11

AR, Tab 20, Fair Opportunity Decision Document (FODD) at 8. Relevant here, the FOPR advised that, during Step 2, any proposal evaluated as “unacceptable” under the technical capability factor would be ineligible for award and would not be further evaluated. *Id.* As will be discussed below, the agency found BMA’s proposal contained several weaknesses under the technical capability factor. *Id.* at 14. Consequently, BMA’s proposal was rated as “unacceptable” under the technical capability factor and was found ineligible for award. *Id.* In contrast, Delta’s proposal was assigned a rating of “good” under technical capability. *Id.* Thus, the agency continued to evaluate Delta’s proposal, and during Step 3, found Delta’s proposal to offer a fair and reasonable price. *Id.* The agency then issued the task order to Delta. *Id.* at 21.

On September 26, BMA was notified that it had not been selected for task order award. AR, Tab 23, Notice of Unsuccessful Offeror at 1. Upon receiving notice, the protester requested, and the agency provided, a debriefing, which concluded with the agency answering BMA’s questions on October 4. AR, Tab 26, Post Award Debriefing Follow-Up Email. This protest followed on October 11.²

DISCUSSION

The protester argues that the agency’s assignment of several weaknesses to BMA’s proposal under the technical capability factor was unreasonable.³ Protest at 10. We have considered all of the protester’s arguments and find no basis upon which to sustain the protest.

In evaluating BMA’s technical capability, the agency assessed a combination of weaknesses to the protester’s proposal under two of the factor’s focus areas. AR, Tab 22, Technical Evaluation Team Consensus at 15. The evaluators explained that the weaknesses, when combined, “increase[d] the risk of unsuccessful contract performance to an unacceptable level and therefore, one deficiency was assigned to [BMA’s] proposal.” *Id.* Because of the deficiency, the agency assigned a rating of

² The awarded value of the task order at issue exceeds \$10 million. Accordingly, this procurement is within our jurisdiction to hear protests related to the issuance of orders under civilian agency multiple-award indefinite-delivery, indefinite-quantity contracts that were awarded under the authority of title 41 of the United States Code. 41 U.S.C. § 4106(f)(1)(B).

³ The protester also initially alleged that the agency’s evaluation of the awardee’s price was unreasonable and that the final source selection decision was improper. Protest at 15-16. BMA later withdrew those allegations. Protester’s Comments at 1 n.2.

“unacceptable” to BMA under the technical capability factor, “making the proposal unawardable.”⁴ FODD at 16.

Focus Area 1 – Staffing Approach

The protester first alleges the agency applied an unstated evaluation criterion in assigning a weakness to BMA’s proposal under focus area 1 (staffing) of the technical capability factor. This factor indicated the agency would evaluate the offeror’s “understanding of the staffing approach to accomplish the requirements of the PWS,” and that “[t]his focus area is met when the [o]fferor’s proposal demonstrates an adequate understanding of the minimum required knowledge, skills, and experience to accomplish the requirements of the PWS.” FOPR at 10. The agency identified a weakness under this focus area because BMA’s staffing approach appeared to only allocate three team leads to manage several unrelated PWS tasks. FODD at 14. The agency noted that such organization of staffing “increases the likelihood for conflicts of priority by placing multiple cross organizational PWS tasks under a small number of team leads.” *Id.*

The protester argues that the agency’s assessment of a weakness was based on an unstated evaluation criterion. Specifically, BMA contends that the solicitation never indicated that the agency would evaluate an offeror’s team lead allocation. Protest at 11. The protester also argues that even if the evaluation was not based on an unstated evaluation criterion, the evaluation was still unreasonable because the agency misinterpreted BMA’s proposal, which--according to the protester--proposed five team leads to cover the various PWS tasks. *Id.*

The agency responds that its evaluation of BMA’s proposal under this focus area was reasonable because staffing allocation was reasonably encompassed in the solicitation criteria. MOL at 11-12. The agency further states that it did not misread the protester’s proposal. *Id.* at 14.

The evaluation of proposals in a task order competition, including the determination of the relative merits of proposals, is primarily a matter within the contracting agency’s discretion, because the agency is responsible for defining its needs and the best method of accommodating them. *Engility Corp.*, B-413120.3 *et al.*, Feb. 14, 2017, 2017 CPD ¶ 70 at 15; *URS Fed. Servs., Inc.*, B-413333, Oct. 11, 2016, 2016 CPD ¶ 286 at 6. Our Office will review evaluation challenges to task order procurements to ensure that the competition was conducted in accordance with the solicitation and applicable procurement laws and regulations. *Logis-Tech, Inc.*, B-407687, Jan. 24, 2013, 2013

⁴ For technical capability, a rating of unacceptable was defined as: “Proposal does not meet requirements of the FOPR, and contains one or more deficiencies.” FOPR at 11. A deficiency was defined as “a material failure of a proposal to meet a Government requirement or a combination of weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.” *Id.*

CPD ¶ 41 at 5. A protester's disagreement with the agency's judgment, without more, is not sufficient to establish that an agency acted unreasonably. *URS Fed. Servs., supra*.

Moreover, as a general matter, when evaluating proposals in a task order competition, an agency properly may take into account specific, albeit not expressly identified, matters that are logically encompassed by, or related to, the stated evaluation criteria. *M.A. Mortenson Co.*, B-413714, Dec. 9, 2016, 2016 CPD ¶ 361 at 5. While a solicitation must inform offerors of the basis for proposal evaluation by identifying the evaluation factors and their relative importance, a solicitation need not specifically identify each and every element an agency considers during an evaluation where such elements are intrinsic to, or reasonably subsumed within, the stated evaluation factors. FAR 16.505(b)(1)(iv)(C); *Horizon Indus., Ltd.*, B-416222, B-416222.2, July 11, 2018, 2018 CPD ¶ 235 at 6.

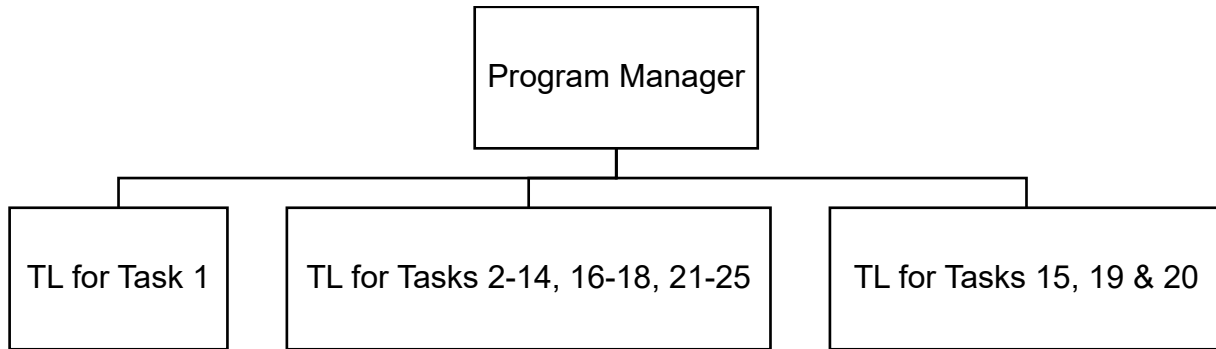
Here, the solicitation indicated that the agency would evaluate the offerors' proposed labor mix. FOPR at 2 ("The proposed labor mix shall be evaluated in accordance with section 7.0, Evaluation Factors and Basis of Award."). Further, the solicitation expressly put offerors on notice that the agency would evaluate offerors' staffing approach to determine the degree to which the staffing approach would provide quality performance of the PWS tasks. *Id.* at 10. Although the solicitation does not specifically state that the allocation of team leads would be evaluated by the agency, we find that such consideration is intrinsic to--or reasonably subsumed within--the stated evaluation criterion noted above. See *Horizon Indus., Ltd., supra*. The language found in the solicitation contemplates that the agency would evaluate the entirety of the proposed staffing approach to determine how the approach would affect an offeror's ability to provide the necessary skill, knowledge, and experience to accomplish the PWS tasks. Task allocation and the number of team leads assigned to tasks directly affect the knowledge, skills, and experience that may be brought to bear on tasks required by the PWS. As such, based on the record, we find the consideration of team lead allocation to be logically encompassed in the evaluation criteria.

We also find that the agency's assignment of a weakness to the protester's staffing approach was reasonable.⁵ It is an offeror's responsibility to submit a well-written proposal, with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. *Engility Corp., supra* at 16. Agencies are not required to infer information from an inadequately detailed proposal, or to supply information that the protester elected not to provide. *Optimization Consulting, Inc.*, B-407377, B-407377.2, Dec. 28, 2012, 2013 CPD ¶ 16 at 9 n.17. Further, here, the solicitation instructed offerors to "include sufficient detail for effective evaluation." FOPR at 3.

The protester contends that the Space Force misinterpreted the number of team leads it proposed, and that the firm actually proposed five team leads. These contentions,

⁵ A weakness was defined as "a flaw in the proposal that increases the risk of unsuccessful contract performance." FOPR at 11.

however, are not borne out by a review of the record. In our view, it is not readily apparent from BMA's staffing narrative that the firm proposed five team leads (TL) to cover the PWS tasks. See AR, Tab 16, BMA Proposal at 6-14. Further, BMA provided an organizational chart as part of its technical proposal. At the bottom of that chart, three boxes are depicted side-by-side. The following diagram depicts, verbatim, that portion of BMA's organizational chart:



Id. at 11. The protester claims that its diagram demonstrated BMA offered five team leads to cover five separate sets of PWS tasks, with a separate team lead assigned to each of the task groupings: (1) Task 1; (2) Tasks 2-14; (3) Tasks 16-18; (4) Tasks 21-25; and (5) Tasks 15, 19, and 20. Protest at 11. We disagree. Because three of those task groupings (2-14, 16-18, and 21-25) are all listed within one box on the protester's organizational chart, and BMA indicated that one "TL" would be assigned "for Tasks 2-14, 16-18, [and] 21-25," we do not find unreasonable the agency's understanding that BMA was proposing one team lead to cover those three PWS task groupings.⁶

The agency concluded that the allocation of only three task leads to cover 25 tasks, with the bulk of tasks assigned to a single task lead, would lead to an increased risk of unsuccessful performance. The agency noted that this organizational structure presented the potential for conflicts in prioritization of performance by having one team lead working across diverse, cross-organizational PWS tasks. FODD at 14; Technical Evaluation Team Consensus at 15. We find no basis to question the agency's conclusion that the protester's team lead allocation presented a concern about whether the protester could effectively perform the requirements of the PWS, as required by the solicitation. As such, we find nothing objectionable with the agency's assignment of a weakness here.

⁶ For that matter, in order for BMA's interpretation of the organizational chart to be internally consistent, box three would also have to be read to propose at least two team leads: one for task 15, and one for tasks 19 and 20. The protester, however, claims it proposed only one team lead for box three. Protest at 11.

Focus Area 3 – Technical Approach

The protester's next set of arguments contests the agency's evaluation of BMA's proposal under focus area 3 (technical approach) of the technical capability factor. The solicitation explains, under this focus area, the agency would evaluate the offeror's "understanding of the technical approach to accomplish the requirements of the PWS as identified in the below tasks," and that the "focus area is met when the [o]fferor's proposal demonstrates an effective approach in at least three (3) of the five (5) areas below." FOPR at 10. The solicitation listed, in bullet point format, the five task areas offerors were required to discuss in their proposals. BMA challenges the agency's evaluation of its proposal under three of the five bulleted task areas.

Task Bullet 1

The first challenged bulleted task concerns an offeror's ability to provide expertise regarding the Program Objective Memorandum (POM)/President's Budget Request (PBR) budgeting processes. The agency assessed the protester's proposal as containing a weakness under this bulleted task because, although "[t]he proposed approach presents an acceptable amount of detail on the Space Force's budget workings," the proposal "fails to discuss how the Intelligence Community or National Security Space enterprise affects the US Space Force's budget as required in Focus Area 3 bullet 1." FODD at 15. The protester argues that the agency applied an unstated evaluation criterion in evaluating BMA's technical approach because the solicitation never required offerors to discuss how the intelligence community or national security space enterprises affect the Space Force's budget. Protest at 12. The agency responds that consideration of the effects national security and the intelligence agencies have on the Space Forces budget is logically encompassed in the stated evaluation criteria and that the agency's evaluation was otherwise reasonable. MOL at 17-18.

Specifically, the bullet 1 task requires offerors to:

Provide subject matter expertise on Program Objective Memorandum (POM)/Presidents Budget Request (PBR) administration (e.g., issue team prep, planning integration), specific capabilities and mission areas of the US Space Force, the Intelligence Community, and the National Security Space enterprise. (PWS Para 2.1.4).^[7]

FOPR at 10.

Here, the requirement at issue concerns expertise with the POM/PBR budgeting process. According to the agency, the POM process at the service level requires input from various stakeholders and serves as a way to prioritize resource needs and budget allocation within an agency. Supp. Contracting Officer's Statement (COS) at 1-2. The

⁷ Paragraph 2.1.4.1 of the PWS repeats, almost verbatim, the same requirement articulated in the bullet 1 task. See PWS at 6.

Space Force explains that, generally, each Department of Defense (DOD) agency and military service creates a budget proposal, or POM, to send to the Office of the Secretary of Defense (OSD). Once all service level POMs are received, OSD proposes a budget estimation to be included in the President's Budget Request (PBR) to Congress. *Id.* The Space Force creates its POM by asking each "input source" to develop an individual POM, which serves as a prelude to the headquarters' call for budget estimates.⁸ These organizations submit POM inputs to be considered for funding during the Space Force Corporate Process. The Space Force Corporate Process, as explained by the agency, "is comprised of government stakeholders that form the group, board, and council and evaluate the needs of the service." *Id.*

According to the contracting officer, while the POM is a deliverable for each service and DOD component, the Space Force POM "has external input sources . . . and is integrated at OSD." *Id.* at 3. In other words, the Space Force reviews requests from several government stakeholders, including external input sources like the intelligence community, the United States Strategic Command (USSTRATCOM), and the United States Space Command (USSPACECOM). *Id.* Each source input defends its budget requests to the board, the board ranks these requests, and the board sends the ranked requests to a council that reviews these requests and balances the allocation of resources while considering constraints and prioritizations noted in the National Defense Strategy (NDS) and Defense Planning Guidance (DPG). *Id.* at 1-2; see Supp. COS, Space Force Planning and Programming Introduction at 5. The council finalizes the Space Force's service-level POM submission to OSD. Once DOD agencies submit POMs to OSD, OSD begins the PBR process. The PBR process is led by OSD Cost Assessment and Program Evaluation (CAPE). Supp. COS at 2. OSD CAPE evaluates each service POM to prioritize budget needs. *Id.* at 2. The Secretary of Defense can direct agencies to make changes to their POMs based on input from DOD stakeholders. *Id.* The PBR process concludes with a budget estimation, which is sent to the Office of Management and Budget (OMB) for inclusion in the president's final budget request to Congress. *Id.*

The agency highlights that the "POM process at the strategic level incorporates resourcing requirements from many sources, and the Space Force must incorporate input from throughout the Department of Defense." *Id.* at 3. The agency explains that the inclusion of these external stakeholders' requests in the creation of the Space Force's budget necessarily requires the agency to consider how these sources' needs will impact the service's budget. *Id.* According to the Space Force, the consideration of input source requests at the POM level, and later in the OSD's evaluation of POMs during the PBR process, requires reviewers to look at whether entities' proposals offer "a balanced allocation of available resources within specified constraints to satisfy the

⁸ The agency defines input sources as "all organizations that submit annual funding requests," including, among others: warfighters, field commands, and "other [DOD] entities with Space Force equities. . . ." Supp. COS at 1.

NDS and the DPG.” *Id.* at 1-2. Such prioritizations, as highlighted in the NDS for example, may include national security and intelligence interests.⁹ Moreover, as the agency explains, the Space Force is “inherently joint as a force multiplier for all of the other [s]ervices and additional stakeholders.” *Id.* at 3. As such, the agency asserts that the Space Force must consider impacts to the national security space community, the intelligence community, and the National Space Council in creating its budget request and therefore offerors must have the required POM/PBR process expertise needed for this requirement. *Id.*

As stated above, an agency properly may take into account specific, albeit not expressly identified, matters that are logically encompassed by, or related to, the stated evaluation criteria. *M.A. Mortenson, Co., supra.* Here, we agree with the agency that an offeror’s understanding of how the Space Force’s budget is impacted by the intelligence community or national security space enterprise is logically encompassed in the stated evaluation criteria. Further, the solicitation requires offerors to have experience working through the entire POM/PBR process, not just experience solely at the input source level. FOPR at 10. Thus, based on this record, we find reasonable the agency’s assessment of a weakness under this bullet of the technical approach focus area.¹⁰

Task Bullet 3

BMA next challenges the weakness assigned to its proposal to provide subject matter expertise on the integration of policy and coordination of duties at national, joint, interagency, and service levels. The agency assigned the protester’s proposal a weakness under this bulleted task because BMA’s “proposed approach fails to demonstrate an approach for strategy and policy at the joint or interagency level.”

⁹ For example, the 2022 National Defense Strategy lists competitors’ operational, logistical, and information advantages in the space domain as a national security concern. DEP’T OF DEF., 2022 NATIONAL DEFENSE STRATEGY OF THE UNITED STATES OF AMERICA 4 (2022), <https://media.defense.gov/2022/Oct/27/2003103845/-1/-1/1/2022-NATIONAL-DEFENSE-STRATEGY-NPR-MDR.PDF> (last visited Jan. 5, 2023).

¹⁰ BMA also contends that the agency’s evaluation under this bulleted task area was otherwise unreasonable. Protest at 12. We disagree. We find the agency’s assignment of a weakness to BMA’s technical proposal for failure to discuss how national intelligence and security interests affect the Space Force’s budget process to be reasonable. In its proposal, the protester does not mention these interests in discussing BMA’s expertise with the POM/PBR budget process at the input source level, or how BMA will account for these external sources when aiding the agency in its budgetary decisions, at the service level, for this requirement. As a result, the agency reasonably determined that “[t]his gap in the proposal approach shows an inadequate understanding of the complexities of the US Space Force’s budget,” which “increases the risk of unsuccessful contract performance.” FODD at 15. We find no basis to question the agency’s determination here. See *Dev Tech. Grp.*, B-412163, B-412163.5, Jan. 4, 2016, 2016 CPD ¶ 10 at 10, 12.

FODD at 15. In this regard, the protester simply argues that “BMA demonstrated that it provided an effective approach for this requirement in its detailed proposal covering two pages.” Protest at 13.

Here, the third bulleted task required offerors to “Provide subject matter expertise to integrate and Implement Strategy and Policy at the National, Joint, Interagency, or Service level (PWS Para 2.1.15 & 2.1.25).” FOPR at 11. The PWS further provided:

2.1.15 Task 15

Interface and perform Space Force strategy and plans-related analysis and support with the Office of the Secretary of Defense, and the offices of the Joint Staff, Department of the Air Force (to include the Secretary of the Air Force and Air Force Staffs), Field Commands, and other joint, Service, and international partners, as required.

2.1.15.1 Taskers. As required, provide recommendations to government on taskers generated by non-CSRO [Chief Strategy and Resourcing Office] organizations within [DOD], and/or Interagency.

* * * * *

2.1.25 Task 25

Interpret national level guidance and ensure incorporation into USSF efforts, inform USSF Best Military Advice by providing warfighting analysis, novel concepts, and expert decision support. Inform force development by contributing to training, exercise, and education efforts. Supplement joint and service doctrine and assesses lessons learned for process improvement. Synthesize resourcing & strategy information on USSF programs. Develop and maintain Plan of Action & Milestones (POA&M) for key tasks. Coordinate meetings with external stakeholders. Monitor, incorporate, implement, and assess USSF organizational strategy and leadership direction.

PWS at 8, 10.

The PWS specifically identifies the need for interfacing and coordinating at the joint and interagency levels. See, e.g., PWS at 8 (requiring contractor to provide recommendations to agency on taskers generated by interagency organizations); PWS at 10 (requiring contractor to supplement “joint” doctrine and assess lessons learned for process improvement).

In its proposal, BMA lists some prior experiences where the protester implemented policies and worked on issues at the service and joint levels. For example, BMA’s proposal states: “We assisted in preparing a hypersonic missile tracking study

responding to an OSD Program Decision Memorandum and coordinated the study with CSRO and OSD staff”; and “Our analysis of Space C2 [Command and Control] program benefits derived from being the USSF’s only Congressionally-authorized software program was forwarded to SAF/AQX [Acquisition Integration Directorate under the Secretary of the Air Force] for delivery to the Service Acquisition Executive (SAE) and Defense Acquisition Executive (DAE).” BMA Proposal at 28.

In its evaluation, the agency listed concerns it had with this part of the protester’s proposal. First, the agency noted that the protester offered no approach for how it plans to coordinate with interagency entities, even though the PWS stated that “as required, [the contractor should] provide recommendations to government on taskers generated by non-CSRO organizations within [DOD], and/or Interagency.” FODD at 15; see PWS at 8. The agency also found that, although the protester cited to prior examples of national, joint, and service level coordination, such as BMA’s “analysis of Space C2 programs,” the protester “fails to mention relevant strategy or planning analysis.” FODD at 15. Further, the agency concluded that BMA’s “approach fails to address how BMA will accomplish the task to perform Space Force strategy and plans related to analysis . . . and displays an inadequate understanding to successfully perform the task.” *Id.*

We find no reason to disagree with the agency’s assessment. Although the protester listed various examples of prior experiences coordinating efforts at the service, national, and joint levels, the protester failed to explain how--for the current requirement--BMA will interface and perform space force strategy and plans with joint staff, or provide recommendations on tasks generated by DOD or interagency, as is required by the solicitation. Based on the record, we find the agency reasonably determined this lack of explanation to be a weakness that increased the risk of unsuccessful contract performance. Further, BMA offers no explanation in its comments to rebut the agency’s claim that the protester failed to discuss how BMA would coordinate at the joint and interagency levels for this current requirement.¹¹ Protester’s Comments at 5. The protester’s allegation that the agency unreasonably assigned this weakness to BMA’s proposal amounts to simple disagreement with the agency’s judgment, and, without more, is not sufficient to establish that the agency acted unreasonably. *URS Fed. Servs., supra.*

Task Bullet 4

Lastly, the protester challenges flaws that the agency found when assessing BMA’s plans relating to the Joint Capabilities Integration and Development System (JCIDS).

Relevant here, the solicitation required offerors to:

¹¹ We fail to see, and the protester fails to explain, how descriptions of prior experiences that were listed in the technical approach section of BMA’s proposal, without more, demonstrate the manner by which the protester will accomplish the PWS tasks for this current requirement.

Provide subject matter expertise to interface and perform duties to support the Joint Integration and Operational Capability Development Divisions development of Service policy, guidance, oversight, and priorities for the Service's capability development process and ensures Service integration with the Joint Capabilities Integration and Development System (JCIDS). (PWS Para 2.1.18).

FOPR at 11. The PWS further required:

2.1.18.1 Support USSF in their role as the Joint Integrator for [DOD] Space Requirements. Lead writing teams and author formal Joint Requirements documents. Ensure approved requirements are being met by development organizations. As needed, support requirements gatekeeper functions for the USSF.

PWS at 9.

Under this bulleted task, the agency found flaws in BMA's proposal because the firm's "proposed approach [did] not cover the JCIDS process" at a higher organizational level, *i.e.*, at the military service headquarters level rather than at a program office level. AR, Tab 22, Technical Evaluation Team Consensus at 16. As examples, the agency cites to BMA's reference to two rescinded DOD policy documents, and to the number of staff proposed by BMA to service an interface control working group. *Id.* The protester disagrees with the agency's assessment of the staffing requirements, and argues that although the policy documents BMA cited in its proposal were rescinded, the underlying information within those documents remained relevant. Protest at 13-14.

In reviewing an agency's evaluation of proposals in a task order competition, we will not substitute our judgment for that of the agency, but instead will examine the agency's evaluation to ensure that it was reasonable and consistent with the solicitation's stated evaluation criteria and with procurement statutes and regulations. *Nexant Inc.*, B-417421, B-417421.2, June 26, 2019, 2019 CPD ¶ 242 at 6.

Here, we find no reason to question the agency's findings that BMA's technical proposal included weaknesses that increased the risk of unsuccessful performance. Although BMA claimed, in its proposal, to have "extensive knowledge of NSSAP [National Security Space Acquisition Policy] 03-01 . . . [and] CJCSI [Chairman of the Joint Chiefs of Staff Instruction] 3170.01," the agency notes that these policy documents were rescinded in March of 2009 and August of 2018.¹² BMA Proposal at 30; FODD at 16; COS at 25. The Space Force found that BMA's reference to--and reliance on--outdated

¹² The NSSAP provided guidance for the development of space acquisition systems within DOD, and the CJCSI established the policies for the Joint Capabilities Integration and Development System (JCIDS), which is the process by which DOD identifies capabilities, or items, required by the military to fulfill its missions. See Supp. COS, exh. 4, DOD Planning, Programming, Budgeting, and Execution Overview at 9.

publications (rather than referencing current guidance) contradicted BMA's "extensive knowledge" as a subject matter expert, and was directly counter to the requirement to demonstrate adequate knowledge and subject matter expertise to support the Joint Integration and Operational Capability Divisions development of Service policy, guidance, oversight, and priorities, as was required by the solicitation. COS at 22-23; AR, Tab 21, Technical Evaluation Team Notes at 8-9.

As another example, the protester proposed an interface control working group (ICWG) to address the requirements of paragraph 2.1.18.1 of the PWS. BMA Proposal at 31-32. The agency explained that its experience with such headquarters-level ICWGs indicated that they were "incredibly labor intensive," citing work on a previous effort with a similar ICWG that required more than 30 people working on the ICWG. Technical Evaluation Team Consensus at 16. In contrast, BMA proposed a maximum of 22 full-time equivalent (FTE) positions--increasing to 28 FTEs in the option years--to perform the entire contract, inclusive of *all* PWS tasks. BMA Proposal at 7.

Because BMA had proposed a maximum of 28 FTEs for the entire contract requirement, the evaluators concluded that the proposed structure and staffing levels did not match the anticipated workload for this bulleted task, in particular, and the entire effort, as a whole. Technical Evaluation Team Notes at 8-15; COS at 27. Accordingly, the agency found this approach to be problematic and indicated an "inadequate understanding of how to manage requirements at the Service headquarters level and could potentially create non-value-added work." Technical Evaluation Team Consensus at 16. The agency found this to be a weakness under focus area 3, and that the combination of weaknesses in BMA's proposal under all three focus areas raised the risk of unsuccessful contract performance to an unacceptable level. FODD at 15-16.

Our review of the record does not find the agency's findings here to be objectionable. The agency determined that the flaws identified in this part of the proposal would increase the risk of unsuccessful performance, and the protester does not offer sufficient evidence to show the agency's evaluation was unreasonable. *URS Fed. Serv., supra*.

In conclusion, we find that the Space Force reasonably found BMA's technical proposal to contain several weaknesses, which resulted in the agency assigning BMA a deficiency under the technical factor and finding BMA's proposal to be technically unacceptable. As such, we find no basis to disturb the task order award decision.

The protest is denied.

Edda Emmanuelli Perez
General Counsel