



DOCUMENT FOR PUBLIC RELEASE

The decision issued on the date below was subject to a GAO Protective Order. This redacted version has been approved for public release.

Decision

Matter of: Software Engineering Services Corporation

File: B-415694.2

Date: February 16, 2018

John M. Heida, Esq., Heida Law Firm, LLC, for the protester.
Kenneth Brody, Esq., Thomas David, Esq., and Katherine David, Esq., David, Brody & Dondershine, LLP, for All Points Logistics, LLC, the intervenor.
Fallyme E. Guerrero, Esq., and James T. Van Biber, Esq., General Services Administration, for the agency.
Nora K. Adkins, Esq., and Amy B. Pereira, 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 protester failed to comply with the solicitation requirement to provide specific documentation to support its relevant experience projects.

DECISION

Software Engineering Services Corporation (SES), a service-disabled veteran-owned business (SDVOSB), located in Bellevue, Nebraska, challenges the elimination of its proposal from consideration for award pursuant to request for proposals (RFP) No. QTA0016AWA0001, issued by the General Services Administration (GSA) as an SDVOSB set-aside, to establish the Veterans Technology Services 2 government-wide acquisition contract to provide customized information technology (IT) services and IT services-based solutions. SES challenges the agency's evaluation of its proposal.

We deny the protest.

BACKGROUND

On April 21, 2016, the GSA issued the RFP pursuant to the procedures of Federal Acquisition Regulation part 15. RFP at 1. The solicitation contemplated the award of up to 70 indefinite-delivery, indefinite-quantity (IDIQ) contracts on a best-value basis using a highest technically rated with a fair and reasonable price evaluation scheme. Id.

at 75, 105.¹ Under this scheme, offerors were to assign themselves points in the following categories: relevant experience; past performance; systems, certifications, and clearances; and risk assessment.² Id. at 109-110. The RFP provided a total of 100,000 possible points under these categories, and further provided a detailed explanation of the point scheme, including the elements that make up the categories, and an explanation as to the required supporting documents. Id. at 78-111.

According to the RFP's evaluation scheme, the agency would first rank all offerors by highest point score to lowest point score using the offeror's self-scoring worksheet. Id. at 106. After the top 70 firms were identified, the evaluation team would evaluate and verify the supporting documentation for each evaluation element that was assigned points by the offeror in the self-scoring worksheet. Id. Once the offerors were evaluated and verified, the evaluation team would analyze the offerors' pricing to determine whether it was fair and reasonable. Id. If an offeror's price was found to be fair and reasonable, the firm would be awarded a contract. Id. The RFP provided that the agency intended to award up to 70 contracts; however, the RFP clarified that in the event of a tie at the position of number 70, all offerors tied for this position would receive an award. Id.

As relevant to this protest, the solicitation permitted an offeror to submit up to ten relevant experience projects, consisting of (1) a single contract; (2) a single task order awarded under a multiple-award contract; (3) a single task order awarded under a single-award indefinite delivery (definite quantity, requirements, or indefinite quantity) contract; (4) a single task order placed under a Federal Supply Schedule; or (5) a single task order placed under a single-award Blanket Purchase Agreement (BPA). Id. at 88-89. The RFP advised that when a single-award infinite delivery task order contract or a single-award BPA's requirements are well defined, for a specific purpose, and task orders are issued on a recurring basis, a collection of task orders placed under the IDIQ or BPA may be combined and submitted as a single project. Id. at 88.

For each relevant experience project claimed, offerors were required to complete and submit solicitation attachment J.P-7, relevant experience project template. Id. at 90. This template required the following information, in part: contractor name; contract number; order number, if applicable; project title; total period of performance (including options); project value; relevant experience project identifier; description of the work performed; and contact information of the agency/company point of contact with cognizance over the project. Id. To be considered as a relevant experience project, the RFP also provided the following minimum requirements: each project must have been for the performance of one of the performance areas listed in the RFP as the principal

¹ The solicitation was amended four times. All citations herein are to the conformed copy provided as RFP amendment No. 4.

² The solicitation included an attachment for the offerors to enter their assigned points. RFP attach. J.P-5, Document Verification and Self-Scoring Worksheet, at 1-3.

purpose of the project; no project may be used more than once; each project must be ongoing or have been completed within 5 years from the due date of proposals, and have at least one year of performance; and no individual project value shall be less than \$500,000. Id. at 89-90.

In order to establish that an offeror was entitled to any relevant experience self-scored points, the RFP required an offeror to include specific supporting documents: (1) a completed form J.P-7, relevant experience template; (2) a copy of the original contract award form; and (3) a copy of the contract statement of work (SOW).³ Id. at 90-92. For any projects performed as a subcontractor, the RFP provided that only the work identified in the specific subcontract may be utilized for scoring as a relevant experience project, and required the offeror's J.P-7 form to be signed by a corporate officer of the prime contractor with cognizance over the project. Id. at 89, 91.

SES submitted a proposal in response to the solicitation by the June 17 closing date. Contracting Officer Statement (COS) at 2. SES' self-scoring worksheet provided for a total of 81,400 points. Agency Report (AR), Tab B.03, SES Self-Scoring Worksheet, at 3. With respect to the relevant experience category, SES claimed a score of 3,500 for each of 10 claimed relevant experience projects, for a total of 35,000. Id. at 1. With respect to relevant experience project No. 4 (REP-4), SES included documents to support its claimed score, including: a completed J-P.7; a copy of a subcontract agreement with the prime contractor; and a copy of the subcontract SOW. AR, Tab B.04, SES REP-4 Supporting Documents.

The agency received multiple proposals in response to the solicitation. The agency began its evaluation, as described in the solicitation, with the 70 highest self-scored proposals. With respect to the protester, the agency identified SES, as one of the 70 highest self-scored proposals, with a self-score total of 81,400 points. AR, Tab F.2, Debriefing, at 3. The agency's document verification analysis found that SES submitted inadequate verification for two projects. Id. With respect to REP-4, the evaluators found that SES provided a subcontract award form and SOW for a different subcontract than listed in the J-P.7 template. Id. With respect to REP-10, the agency found that SES failed to provide a SOW.⁴ Id. The evaluators deducted 3,500 points for each of these issues. Id. In addition, since references REP-4 and REP-10 were removed for inadequate verification, the agency also deducted an additional 350 points that SES claimed for relevant experience in a foreign location (related to REP-4), and 750 points

³ The RFP provided two options for satisfying the document verification requirement. The first option required an offeror to provide a Federal Procurement Data System-Next Generation report that verifies all claimed scoring elements included in part I of the J.P-7, relevant experience project template. RFP at 90. The second option, which is relevant to this protest, required the J.P-7, copy of the original contract, and copy of the SOW. Id. at 90-92.

⁴ The protester does not dispute the agency's evaluation with respect to REP-10.

that SES claimed for relevant experience demonstrating management of larger value projects (related to REP-4 and REP-10). Id. at 3-4. In total, the agency deducted 8,100 points, which reduced SES' overall points to 73,300, and removed it from award consideration.⁵ Id. at 4.

DISCUSSION

SES challenges the agency's evaluation of its proposal. The protester argues that the agency's deduction of points for REP-4 was unreasonable. SES alleges that information provided in its proposal was sufficient to validate SES' relevant experience. As explained below, we find no basis to sustain the protest.

In reviewing protests of allegedly improper evaluations, it is not our role to reevaluate proposals; rather, we will examine the record to determine whether the agency's judgment was reasonable and consistent with the stated evaluation criteria and applicable procurement laws and regulations. IN2 LLC, B-408099 et al., June 18, 2013, 2013 CPD ¶ 149 at 5. In this regard, an offeror has the burden of submitting an adequately written proposal; where a proposal omits, inadequately addresses, or fails to clearly convey required information, the offeror runs the risk of an adverse agency evaluation. Addvetco, Inc., B-412702, B-412702.2, May 3, 2016, 2016 CPD ¶ 112 at 7-8. A protester's disagreement with an agency's judgment is not sufficient to establish that an agency acted unreasonably. A&T Sys., Inc., B-410626, Dec. 15, 2014, 2015 CPD ¶ 9 at 3.

As described above, the solicitation required offerors to submit specific documentation with their proposals to verify the points assigned in its self-scoring worksheet. With respect to the category of relevant experience, the solicitation required three specific documents: a complete J-P.7; a copy of the original contract award form; and a copy of the SOW.

The agency's evaluation of SES's proposal found that the protester provided relevant experience documentation for REP-4 but the documentation provided discrepant subcontract references. The evaluators deducted the 3,500 points that SES self-scored under this category for failure to provide the required documentation.

The protester argues that the agency's evaluation was unreasonable. SES contends that the work referenced in the J-P.7 template, subcontract award form, and SOW are all for the same project. SES explains that the initial subcontract was awarded by the prime to SES in 2009. Protest at 3; Protest Exh. A, Subcontract Agreement 2009, at 3; AR, Tab B.04, SES REP-4 Supporting Documents at 3. This subcontract was under the prime's contract No. FA4600-D-08-9004 / task order No. 0013. Id. The initial subcontract was assigned subcontract No. 4400165909, by the prime contractor, with a

⁵ The record demonstrates that the 70th award was made to a firm whose proposal received 74,550 points. AR, F.3, Offeror Ranking and Technical Ratings at 2.

period of performance from 2009-2014 and a not-to-exceed ceiling price of \$3,638,699. Protest, Exh. A, Subcontract Agreement at 3; AR, Tab B.03, SES REP-4 Supporting Documents, at 3. Thereafter, the prime contractor executed a new subcontract agreement with SES on July 1, 2014. Protest Exh. D, Subcontract Agreement 2014, at 1. This subcontract was under the prime's contract No. 4600-D-08-9004 / delivery order No. 60. Id. This subcontract was assigned No. 4600010322-3, with a period of performance of 2014-2016⁶ and a not-to-exceed value of \$[DELETED]. Id. SES provides that it submitted the original subcontract agreement and SOW for subcontract No. 440165909 (2009-2014) with its proposal. SES states that it asked the prime to complete and sign the J-P.7 template. SES explains that the prime completed and signed the template but referenced the extension subcontract (No. 4600010322-3 and delivery order No. 60), not the 2009 subcontract, as SES had. SES submitted this J-P.7 with its proposal.

Based on this record, we find the agency reasonably evaluated the protester's proposal. Here, the agency reviewed the documents provided by SES to validate REP-4 and concluded that the J-P.7 template did not reference the same subcontract referenced in the subcontract agreement and SOW. The agency found that these documents were insufficient to validate the claimed REP-4 project experience. While the protester argues that these documents all refer to the same project, and asks our Office to require the agency to consider them as such, we find no basis to do so. In this regard, SES' proposal did not provide any explanation of its intent to have these two subcontracts treated as one project, nor did the proposal provide any details explaining why the J-P.7 template provided a different subcontract number from the subcontract award and SOW documents. Because SES had the burden of submitting an adequately written proposal, it cannot now, in its protest, explain its intent or reconcile the discrepancies when these details were not provided in the proposal. Additionally, the protester's assertion that the agency could have reconciled these discrepancies by reviewing the project titles, dollar values, and statement of work, is not persuasive as agency evaluators are not required to piece together portions of a proposal in conducting an evaluation. James Constr., B-402429, Apr. 21, 2010, 2010 CPD ¶ 98 at 5 (agency not required to piece together general statements and disparate parts of protester's proposal to determine the protester's intent). Indeed, where a proposal omits, inadequately addresses, or fails to clearly convey required information, the offeror runs the risk of an adverse agency evaluation. Addvetco, Inc., supra. Thus, we find no basis to object to the agency's evaluation.

The protest is denied.

Thomas H. Armstrong
General Counsel

⁶ The period of performance was for a base year with a one-year option. Protest Exh. D, Subcontract Agreement 2014, at 1.