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Decision

Matter of: IP Network Solutions, Inc.; Emagine IT, Inc.; EnterpriseTech Joint Venture, LLC

File: B-408232; B-408232.2; B-408232.3; B0408232.4; B-408232.5; B-408232.6

Date: July 25, 2013

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DIGEST

Protests arguing that the agency applied an undisclosed and unreasonable staffing estimate in evaluating proposals are denied where the agency reasonably used the staffing estimates contained in its independent government estimate as a tool to evaluate technical proposals, and took into account each offeror's particular technical approach.

DECISION

IP Network Solutions, Inc., of Herndon, Virginia, Emagine IT, Inc., of Fairfax, Virginia, and EnterpriseTech Joint Venture, LLC, of McLean, Virginia, protest the award of four indefinite-delivery, indefinite-quantity (ID/IQ) contracts to High Action, LLC, of Fairfax, Virginia, Soft Tech Consulting, Inc., of Chantilly, Virginia, Unitech Consulting, LLC d/b/a/ Chameleon Integrated Services, of St. Louis, Missouri, and NOVA Corporation, of Chambersburg, Pennsylvania, by the Department of Defense, Defense Information Systems Agency (DISA) under request for proposals (RFP) No. HC1047-12-R-4013 for information technology enterprise support

services.¹ The protesters argue that the agency improperly found their proposals technically unacceptable and ineligible for award.

We deny the protests.

BACKGROUND

The solicitation, issued on May 3, 2012, as a competitive set-aside under the Small Business Administration 8(a) program, anticipated the award of multiple ID/IQ contracts with fixed-price, cost plus fixed-fee, time and materials, and cost reimbursable contract line item numbers (CLINs), for a base year and four 1-year options. RFP at 23.² The RFP also contemplated the issuance of the first task order--operations task order 0001--to a single ID/IQ contract holder in conjunction with the ID/IQ award. Id. at 3.

As amended, the RFP stated that multiple awards would be made to a “target of eight” of the lowest-priced, technically acceptable offers that have a past performance rating of satisfactory confidence or higher.³ Id. at 139, 141. The solicitation stated that the technical evaluation would assess an offeror’s technical/management capability through the consideration of two subfactors: (1) technical/management capabilities for each of six task orders,⁴ and (2) operations task order transition plan. Id. at 144.

For the technical management factor, the RFP stated that technical proposals would be assessed by assigning a rating of acceptable, reasonably susceptible of being made acceptable, or unacceptable, based on whether the proposal meets the

¹ Emagine also protests the agency’s award of the initial task order (task order 0001) to NOVA Corporation, which was issued in conjunction with contract award. Because, as discussed below, we deny Emagine’s challenge to the agency’s evaluation of its technical proposal, the protester is not an interested party to challenge the issuance of the operations task order. Bid Protest Regulations, 4 C.F.R. § 21.0(a)(1) (2013).

² All citations are to the conformed copy of the RFP, which incorporates the ten amendments issued by the agency, unless otherwise noted.

³ The solicitation initially provided that award would be based on a best-value tradeoff, in which the technical/management and past performance factors were approximately equal in importance to cost/price. Amendment 10 to the solicitation modified the evaluation criteria to the technically-acceptable criteria discussed herein. RFP, Amend. 10.

⁴ The first task order was the operations task order, which was to be awarded along with the ID/IQ contracts; the remaining five task orders were sample task orders.

performance work statement requirements and standards for each subfactor. Id. at 144. The solicitation specified that a rating of acceptable would be required in all subfactors to be eligible for award, and that an offeror with an unacceptable rating would no longer be considered for award.⁵ Id.

As relevant here, the solicitation stated that the evaluation of subfactor 1 would consider the following portions of an offeror's proposal: project management plan; staffing approach; management CONOPS [Concept of Operations]; and methodology, processes and procedures for the operations task order and the sample task orders. Id. With regard to the project management plan, the RFP advised that proposals would be evaluated to determine whether an offeror's approach can "attain and maintain the Service Level Agreements" identified in all six task orders. Id. As part of the project management plan evaluation, the agency would also consider an offeror's labor categories and skill mix to determine if "personnel with the proper levels of expertise are assigned to the task orders and the hours necessary to complete the tasks will be compared to the Government's established estimate." Id.

With regard to the operations task order, the solicitation required offers to propose the full range of operational support capabilities to operate, maintain, and modernize the agency's information technology [IT] enterprise. RFP, Attach. 1, Operations Task Order, at 5. This task order encompassed eight task areas including, as relevant here, IT service desk support (task area 2), solution engineering and deployment support including audio and visual teleconference support (task area 6), and transition to enterprise services support (task area 7). Id. at 7-24. Each task area also had multiple sub-task requirements. Id. The solicitation also provided offerors with a description of the work required under each task area, as well as the service level agreements associated with each task area. Id.; id., Appendix B, Service Level Agreements, at B-1-B-11.

In response to offerors' questions, the agency also explained that it sought to utilize a performance-based service acquisition approach, wherein the government would focus on the performance outcome, rather than a specific proposed process or approach. In this regard, while the agency provided the offerors with current full time equivalent (FTE) data for the sample task orders (task orders 2-6), DISA informed offerors that it would not provide FTE data or historical performance statistics for the operations task order (task order 1). RFP, Questions and Answers, at T-006, T-027, T-037. Instead, to assist the offerors in preparing their technical proposals for task order 1, DISA provided numerous attachments to the RFP concerning the work requirements, such as: labor category definitions; DISA chief

⁵ Acceptable was defined as "meeting RFP requirements without introducing an unacceptable level of risk." RFP at 139. Unacceptable was defined as, "not meeting RFP requirements and/or creating an unacceptable level of risk." Id.

information officer [CIO] IT operations center roles and responsibilities; operations task order historical data; and DISA standard operating procedures. See RFP Attachs. 15, 24, 26, 29. The operations task order historical documents included additional information such as: 2011 remedy trouble tickets report; a weekly and monthly service desk metrics report; a change management database audit; DISANet technical staff notices and service change requests; an approved software list; principle tool suites; and standard operating procedures for event management, incident management and problem management. RFP Attach. 26.

In response to the amended solicitation, the agency received 28 proposals by the revised closing date of September 11, 2012. Agency Report⁶ (AR), Tab 10, Selection Recommendation Document, at 3. In accordance with the solicitation criteria, the proposals were first ranked from lowest to highest based upon their overall cost/price. Id. Next, the proposals were evaluated for technical acceptability. Id. at 4. The results of the agency's cost/price ranking and technical evaluation of the protesters' proposals were as follows:

	Cost/Price Ranking	Cost/Price	Technical Subfactor 1	Technical Subfactor 2
IP Network	2	\$92,922,213	Unacceptable	Acceptable
Emagine IT	10	\$113,580,848	Unacceptable	Acceptable
EnterpriseTech	11	\$114,700,913	Unacceptable	Acceptable

AR, Tab 10, Selection Recommendation Document, at 48 (IP Network, Emagine, and EnterpriseTech). The agency concluded that all three offerors were unacceptable under subfactor 1, finding that, for each protester, its proposed project management plan failed to demonstrate the ability to “attain and maintain Service Level Agreements” and “provide labor categories/skill mix and labor hours that are proper” for the operations task order. AR, Tab 9, Proposal Assessment Report, at 22 (IP Network); 40 (Emagine); 41-42 (EnterpriseTech). Because the unacceptable ratings precluded the protesters from award, the agency did not conduct a past performance evaluation for these offerors. Id.

On April 15, 2013, the agency awarded ID/IQ contracts to the four technically acceptable offerors that received a satisfactory or higher performance rating.⁷ The protesters were notified of the awards on April 16, and received written debriefings

⁶ All references to the agency report are to the IP Network protest version, unless otherwise noted.

⁷ All other offers were found to be technically unacceptable, or failed to receive at least a satisfactory performance rating.

on the same day.⁸ On April 19, IP Network filed its protest with our office, followed by Emagine IT, on April 24, and EnterpriseTech, on April 25.

DISCUSSION

The protesters argue that DISA improperly found their proposals technically unacceptable and ineligible for award. The protesters assert that the agency's evaluation relied upon an undisclosed staffing plan estimate that lacked a reasonable basis, and failed to consider the protesters' proposed innovations and efficiencies. The protesters also contend that the historical data provided with the solicitation was misleading.

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. Abt Assocs., Inc., B-237060.2, Feb. 26, 1990, 90-1 CPD ¶ 223 at 4. A protester's mere disagreement with the agency's evaluation provides no basis to question the reasonableness of the evaluators' judgments. See Citywide Managing Servs. of Port Washington, Inc., B-281287.12, B-281287.13, Nov. 15, 2000, 2001 CPD ¶ 6 at 10-11. An offeror is responsible for affirmatively demonstrating the merits of its proposal and risks the rejection of its proposal if it fails to do so. Arctic Slope World Servs. Inc., B-284481, B-284481.2, Apr. 27, 2000, 2000 CPD ¶ 75 at 7-8.

As a general rule, an agency must provide sufficient information in a solicitation so that offerors can compete intelligently and on a relatively equal basis. IBM Global Bus. Servs., B-404498, B-404498.2, Feb 23, 2011, 2012 CPD ¶ 36 (finding quantities listed in the RFP for levels of service desk users bore no relationship to the actual numbers that the agency used to calculate the offerors' estimate price). An agency may, however, evaluate technical or price proposals against an undisclosed, reasonable estimate of the appropriate staffing needed to perform the solicitation requirements provided the RFP notifies offerors that staffing is an area of evaluation. Trajen, Inc.; Maytag Aircraft Corp., B-296334 et al., July 29, 2005, 2005 CPD ¶ 153 at 7-8.

While agencies may use such estimates, it is inappropriate to determine the acceptability of proposals simply by the mechanical application of an undisclosed estimate. Id. In this regard, our Office has held that, because absolute reliance on estimates can have the effect of arbitrarily and unfairly penalizing an innovative or

⁸ The protesters were notified of the following awards: HighAction, LLC, \$157,428,640; Soft Tech Consulting, Inc., \$161,475,974; Unitech Consulting LLC, d/b/a Chameleon Integrated Services, \$170,048,110; NOVA Corporation, \$212,627,952. AR, Tab 11, Unsuccessful Offeror Letter, at 1.

unusually efficient offer, it is inappropriate for an agency to determine the acceptability of proposals by the mechanical application of an undisclosed estimate. Doss Aviation, Inc.; Dominion Aviation, Inc., B-275419 et al., Feb. 21, 1997, 97-1 CPD ¶ 117 at 5-6. Rather, the evaluation must also take into consideration whether an offeror's proposed work force is particularly skilled and efficient, or whether, because of a unique approach, a firm could satisfactorily perform the work with staffing different from that estimated by the agency. Id. Where an agency's comparison of an offeror's proposed staffing to a government estimate goes beyond a comparison of the bottom line numbers, and includes a reasonable analysis of the specific areas where the proposed staffing is inadequate, we will not object. NCI Info. Sys., Inc., B-405589, Nov. 23, 2011, 2011 CPD ¶ 269 at 7.

As discussed below, we conclude that none of the protesters' arguments have merit. As a general matter, the protesters knew that the agency expressly declined to provide its estimate for the work requirements (for task order 1), but were also aware that the agency would nonetheless evaluate the adequacy of the offerors proposed staffing levels based on a comparison to the government's estimate. To the extent the protesters believed that the historical and other data provided with the solicitation were inadequate to permit them to prepare their proposals, these arguments are untimely challenges to the terms of the solicitation. To the extent the protesters argue that the agency's undisclosed estimates were unreasonable, the protesters do not specifically demonstrate why the estimates were flawed. Finally, while the protesters argue that the agency unreasonably evaluated their proposed technical solutions or failed to recognize proposed innovations or efficiencies, the record shows that the agency's evaluation was reasonable and that the offerors' disagreements provide no basis to sustain the protest.

IP Network Solutions, Inc.

IP Network challenges the agency's evaluation of its proposal as technically unacceptable with regard to the staffing required to meet the requirements of the operations task order (task order 1). The protester argues that it proposed adequate staffing for this requirement, and that the agency's evaluation was unreasonable because it improperly focused on the government staffing estimate, and failed to consider IP Network's proposed innovations and efficiencies.

As discussed above, the solicitation explained that offerors' project management plans would be assessed to determine if the offeror could attain and maintain the performance required under the service level agreements. The agency also evaluated offerors' labor categories and skill mix to determine if personnel with the proper levels of expertise were assigned to the task orders, and whether the offer proposed sufficient levels of hours to complete the required tasks. In this regard, the solicitation explicitly stated that offerors' labor hours would be compared to the Government's established estimate. RFP at 144.

With regard to the operations task order, IT service desk support task area (task area 2), the solicitation organized the requirement into three service desk support tiers (Tier I, Tier II, and Tier III) and a network monitoring task. RFP, Attach. 1, Operations Task Order, at 5. The solicitation advised that Tier I, Tier III, and network monitoring support was required 24x7x365, while Tier II support was required only after regular hours, and on weekends and government holidays. Id. at 7-10. As relevant here, the solicitation explained that Tier II support usually requires a desk-side visit, or the utilization of remote control tools to take over the user's machine, and typically involves returning the component to an established baseline. Id. These functions require the use of systems administration privileges and/or replacements of various hardware components, software repair, or diagnostic testing to identify and troubleshoot problems--functions which required comparatively experienced and knowledgeable personnel.⁹ Id.

In addition to the description of the work required under task area 2, the solicitation also provided the service level agreements for Tier I, II, and III, which addressed requirements such as: speed-to-answer rate, call abandonment rate, timeliness of self help ticket review, DISA IT enterprise end user requirement request fulfillment, Tier I first call resolution, non-escalation closure rate, compliance with standard operating procedures, and service desk resolution or escalation for Tier I and II. RFP, Attach. 1, Operations Task Order, Appendix B, Service Level Agreements.

The agency's evaluation of IP Network's operations task order project management plan found that the protester did not propose an adequate number of labor hours to attain and maintain the required service level agreements. AR (IP Network), Tab 9, Proposal Assessment Report, at 22. With regard to the IT service desk support task area, DISA concluded that the proposed labor hours were low when compared to the government estimate for each of the IP service desk support task area three tiers. For example, the comparison of IP Network's base year labor hours to the government staffing estimate is set forth below:

	IP Network	Government Estimate
Tier I	[DELETED]	40,320
Tier II	[DELETED]	18,948
Tier III	[DELETED]	21,120

AR (IP Network) at 14.

⁹ The solicitation also explained that Tier I support is the initial support level responsible for gathering the customer's information and trying to determine the customer's issue. Id. at 2. Tier III is DISA IT enterprise's highest level of support, and is used to handle the most difficult problems. Id. at 3.

Based on the comparison of the protester's proposed staffing to the government estimate, the agency concluded that IP Network's technical proposal did not meet the minimum requirements for IT service desk support (task area 2) for the operations task order, and did not provide the labor categories/skill mix, and labor hours necessary for successful performance for this task area. AR (IP Network), Tab 9, Proposal Assessment Report, at 22. Specifically, DISA found that "the proposed hours do not meet the requirement for all of the [s]ervice [d]esk task areas, including Tier II after hours, weekend, and holiday support." Id. The agency concluded that based on the historical workload data, and service level agreements, "in addition to an evaluation of the number of hours proposed by IP Network [] against the Government estimate, the number of hours proposed by IP Network [] [were] not adequate to meet the Tier I-III Service Desk SLAs [service labor agreements] and perform the tasks stated in the [Operations] Task Order 0001 [performance work statement.]" Id. at 23.

In addition to the comparison of the proposed hours to the government estimate, the agency's evaluation also considered IP Network's unique technical approach for the IT service desk support task area. The agency concluded however, that the protester did not propose innovations which justified its low number of proposed hours. Id. For example, DISA found that IP Network's proposed use of [DELETED]¹⁰ did not provide an acceptable innovation or efficiency. Id. In this regard, DISA concluded that since IP Network's technical proposal "is already based on a low number of hours," the proposed "re-purposing of resources for unknown periods of time and from an unknown number of task orders presents an unacceptable level [of] risk to the performance of all [service level agreements] metrics" on all task orders. Id.

While the protester asserts that the agency failed to consider six innovations it contends were identified in its proposal, the evaluation documents show that the agency found that "no innovations or efficiencies were identified that would justify the large disparity in hours present in the proposed staffing." Id. Moreover, the agency also found that IP Network's proposal did not show that its proposed workforce is particularly skilled and efficient such that it could satisfactorily perform the work with its low labor hours. Id. Because an agency's evaluation is dependent on the information provided in a proposal, it is the offeror's responsibility to submit an adequately written proposal for the agency to evaluate. Agile Def., Inc., B-408029, B-408029.2, May 31, 2013, 2013 CPD ¶ __ at 6. Here, we conclude that while IP Network proposed innovations that it believed justified its proposed level of staffing, the agency reasonably identified concerns regarding the effectiveness of the efficiencies, and as a result, concluded that the protester failed to propose adequate staffing.

¹⁰ IP Network proposed the use of technical [DELETED] across the task orders. [DELETED]. AR, Tab 7, IP Network's Proposal, at B-12.

Based upon our review of the record, we conclude that IP Network's arguments are no more than mere disagreement with the agency's reasonable evaluation. The agency performed a comprehensive review of IP Network's proposed approach, innovations, and proposed workforce and compared it to the historical data, service level agreements, and the government estimate. There is no evidence here of a mechanical application of the agency's staffing estimate. In sum, because IP Network's proposal did not adequately address the requirements for the technical/management capabilities subfactor under the operations task order, we conclude that the agency reasonably found the protester's proposal technically unacceptable.

Emagine IT, Inc.

Emagine also challenges the evaluation of its proposal as technically unacceptable, asserting that the agency's labor hours estimate was unreasonable and could not have been used as a basis for the evaluation of offerors' staffing levels. Emagine also contends that the agency's evaluation was based upon an incomplete and incorrect reading of Emagine's proposal, and was inconsistent with the RFP evaluation criteria.

As explained above, the solicitation advised offerors that as part of the technical subfactor 1 project management plan evaluation, the agency would consider an offeror's labor categories and skill mix to determine if personnel with the proper levels of expertise are assigned to the task orders. The RFP also advised that an offeror's proposed hours would be compared to the Government's independent estimate.

The agency's evaluation of Emagine's project management plan concluded that the protester did not propose an adequate number of hours to attain and maintain the service level agreements for the operations task order. AR (Emagine), Tab 9, Proposal Assessment Report, at 40. For example, the comparison of Emagine IT's base year labor hours to the government staffing estimate for the IT service desk support tiers was as follows:

	Emagine IT	Government Estimate
Tier I	[DELETED]	40,320
Tier II	[DELETED]	18,948
Tier III	[DELETED]	21,120

AR (Emagine), at 11.

Specifically, for the Tier II service desk, the evaluation of the protester's proposal relied on the historical workload data provided in the solicitation as follows:

Based on this historical workload data, in addition to an evaluation of the number of hours proposed by Emagine IT against the Government estimate, the number of hours proposed by Emagine IT is not adequate to meet the Tier II Service Desk SLAs [Service Level Agreements] and perform the tasks stated in the [operations task order] PWS [performance work statement].

AR (Emagine IT), Tab 9, Proposal Assessment Report, at 40.

First, Emagine asserts that the agency's evaluation of its proposal was unreasonable because the agency's staffing estimate was irrational.

We review challenges to government estimates for reasonableness. Baltimore Gas and Elec. Co., B-406057 et al., Feb. 1, 2012, 2102 CPD ¶ 34 at 6, citing NCI Info. Sys., Inc., supra. As discussed above, an agency is not required to disclose in the solicitation a staffing level developed to assess whether proposed personnel were adequate; where such model is reasonably based on tasks in the solicitation and reflects the agency's judgment concerning the minimum number of personnel necessary to perform the work, it may properly be used to aid the evaluation of proposals. Trajen, Inc.; Maytag Aircraft Corp., supra; Aerostat Servs. P'ship, B-244939.2, Jan. 15, 1992, 92-1 CPD ¶ 71 at 4. A protester's mere disagreement with an agency's basis for developing a government estimate provides no basis to sustain a protest. Id.

Here, the solicitation advised offerors that their labor hours would be compared to the agency's estimate, but that the estimate would not be disclosed. In this regard, the agency's answers to offerors' questions stated that DISA would not provide FTE or historical performance statistics for the operations task order. RFP, Questions and Answers, at T-006, T-027, T-037. Instead, the agency directed offerors to the solicitation's attachments, which included the following: labor category definitions; DISA CIO [Chief Information Officer] IT operations center roles and responsibilities; operations task order historical data; and DISA standard operating procedures. RFP, Attachs. 15, 24, 26, and 29. The operations task order historical documents included information such as: 2011 remedy trouble tickets report; a weekly and monthly service desk metrics report; a change management database audit; DISANet technical staff notices and service change request; an approved software list; principle tool suites; and standard operating procedures for event management, incident management and problem management. Id., Attach. 29. In addition, as relevant to the service desk support task area of the operations task order, the agency provided service level agreements for Tiers I, II, and III, which addressed requirements such as: speed-to-answer rate; call abandonment rate; timeliness of self help ticket review; DISA IT enterprise end user requirement request fulfillment; Tier I first call resolution; non-escalation closure rate; compliance with standard

operating procedures; and service desk resolution or escalation for Tier I and II. RFP, Attach. 1, Operations Task Order, Appendix B, Service Level Agreements.

Based upon this information, as well as data and input from a credentialed cross-functional team of technical, financial, and cost estimating subject matter experts, the agency utilized a cost estimating methodology to develop resource estimates at the task order level. Contracting Officer Statement (Emagine), (June 4, 2013), at 1. As the agency explains, the undisclosed staffing estimate reflected the agency's judgment of the labor categories and labor hours necessary to meet the requirements of the solicitation. See id. Emagine does not specifically demonstrate why the agency's staffing estimate was defective or otherwise unreasonable. For this reason, we find no reason to conclude that the estimate was not a reasonable reflection of the agency's requirements. See Trend Western Tech. Corp., B-275395, B-27539.2, Apr. 2, 1997, 97-1 CPD ¶ 201 at 3; DynCorp, et al., B-257037.2 et al., Dec. 15, 1994, 95-1 CPD ¶ 34 at 14.

The protester also argues that the agency's staffing estimate was improperly based upon labor categories that were inconsistent with those identified by the solicitation. In response, the agency explains that the labor categories in the staffing estimate, while differently titled, were the same or similar to those listed in the solicitation. Supp. AR (Emagine) at 4. Based upon our review of the record and the agency's explanation, we find that the labor categories used to develop the staffing estimate were reasonably related to the categories provided to offerors in the RFP. Furthermore, as we discuss below, we also conclude that agency did not mechanically apply its staffing estimate in its evaluation of the offerors' proposals and, instead, reasonably assessed offerors' individual approaches. On this record, the protester fails to demonstrate why the agency's use of different nomenclatures for some labor categories in the estimate was of significance. To the extent Emagine believes that the agency had not provided sufficient information regarding the staffing needed to meet the RFP requirements, the agency's refusal to provide more specific information in response to questions of offerors provided Emagine with grounds to protest at that time, prior to the closing time for receipt of proposals. Emagine's attempt to raise the issue now is untimely. 4 C.F.R. § 21.1(a)(1).

Next, Emagine argues that, even if the agency's undisclosed staffing estimate was not inherently unreasonable, the agency's evaluation mechanically applied its estimate to Emagine's proposed labor hours. Based upon our review of the record, and the agency's explanations of the contemporaneous record in the course of this protest, we find that the agency reasonably evaluated Emagine's proposal. The agency's evaluation considered Emagine's unique approach to meeting the solicitation requirements and determined that the protester's approach "alone would not justify the disparity in labor hours present in the proposed staffing when considering the historical workload data and when comparing the number of proposed hours to the Government estimate." AR (Emagine), Tab 9, Proposal Assessment Report, at 40. For example, the agency acknowledged that Emagine

identified an innovation to provide DISA access to Emagine's web-based management portal to access information about the contract, task orders and performance reporting. Id. We conclude that this analysis was not a mechanical analysis of Emagine's labor hours to the agency's staffing estimate. Rather, the evaluation documents show that the agency fully considered Emagine's proposed approach to meeting the task order requirements and concluded that they did not show that the protester could perform based on its level of proposed staffing.

While Emagine asserts that the agency did not document its evaluation of every innovation proposed by Emagine, such as its Tier 0 web-based innovation, [DELETED], the agency explains that it did consider each innovation identified by the protester. AR (Emagine) at 18. As discussed, the record demonstrates that the web-based innovation was specifically considered. AR (Emagine), Tab 9, Proposal Assessment Report, at 40. With regard to [DELETED], the agency concluded that Emagine did not show that its proposed workforce is particularly skilled or efficient, and did not show that it could satisfactorily perform the work with its proposed labor hours. Id. Thus, the protester has not shown that the agency failed to consider this innovation. Finally, with regard to the [DELETED], the agency explained that this proposed innovation was evaluated under the methodology, processes and procedures portion of subfactor 1, for which Emagine received an acceptable rating. AR (Emagine) at 19. Accordingly, we conclude that the protester's assertions here are no more than mere disagreement with the agency's reasonable evaluation of its technical proposal.

As a final point, the protester argues that the agency relied upon an unstated minimum standard with regard to the level of staffing required for IT service desk Tier II support.

As described in its response to the protest, the agency estimated that 6,316 hours per year would be required to staff Tier II afterhours, weekend, and holiday support. AR (Emagine), Government Estimate, Attachment, Reference for Tier II After-Hour Support, at 1. The agency then estimated that three labor categories would be required to meet the solicitation Tier II requirements and service level agreements as follows: LAN/Systems Administrator-Junior 6,316 hours (3.2896 FTEs); Network Systems Administrator 6,316 hours (3.2896 FTEs); and PC Systems Specialist 6,316 hours (3.2896 FTEs). Id. While the agency's documentation states that "3 persons are needed at all times during non-core hours," the record shows that the agency did not rely upon a mandatory 3 persons (or FTE) minimum standard, as the protester suggests. Id. Rather, based upon the requirements of the solicitation, the agency determined that the work would best be accomplished by three separate labor categories, and calculated its staffing estimate based upon this assumption. See id. The protester has not shown that the agency relied upon an unstated minimum mandatory requirement of 3 FTEs to meet the Tier II service desk requirements. The fact that Emagine disagrees with the agency as to the labor

categories necessary to meet DISA's requirements does not make the evaluation improper.

EnterpriseTech Joint Venture, LLC

EnterpriseTech challenges the agency's evaluation of its proposal as technically unacceptable. EnterpriseTech alleges that the agency misled offerors by failing to provide reasonably accurate historical data; unreasonably evaluated its proposed innovations and efficiencies;¹¹ and improperly concluded that EnterpriseTech's proposed approach for the operations task order introduced undue risk.

As relevant to EnterpriseTech's protest, the operations task order, task area 6--engineering and deployment support--required the contractor to perform project management activities and enable engineering and operational enhancement projects; develop and implement technology insertion procedures; provide enterprise technical solution development and implementation support; establish processes and procedures for implementing system changes; supply enterprise life cycle management support; and provide audio visual and video teleconference (VTC) services support. RFP, Attach. 1, Operations Task Order, at 17-23. Specifically, the VTC services included such support as operating and maintain the DISA VTC system to ensure 24x7 availability in all headquarters buildings, providing technical subject matter expertise to all ongoing VTCs occurring in the DISA headquarters building, conducting technical analysis and assessments of the current VTC system, coordinating and managing scheduling conflicts in DISA's VTC facilities, providing monthly status reports, and providing training on VTC systems. Id. at 22-23.

For the operations task order, task area 7--transition to enterprise services support--the RFP required the contractor to provide subject matter expertise to conduct technical and non-technical analysis in support of DISA's transition from DISA-hosted IT services to DoD-provided enterprise services. Id. at 23-24. For this task area, the solicitation required services, including: ensuring the compatibility of existing DISA IT enterprise components to interoperate with DoD enterprise services; ensuring migration of DISA IT enterprise users to DoD provided enterprises services is conducted without service interruption or degradation; ensuring DoD enterprise services will meet DISA's needs; and determining the changes and/or impacts to the life cycle management of DISA IT enterprise. Id.

¹¹ As with the previous two protests, we find that the agency properly considered EnterpriseTech's proposed innovations and efficiencies, and reasonably found that they would not "justify the large disparity in hours present in the proposed staffing." AR (EnterpriseTech), Tab 9, Proposal Assessment Report, at 42.

The agency's evaluation of EnterpriseTech's proposal concluded that the protester did not meet the requirements for VTC services support (task area 6) and transition to enterprise services support (task area 7) because it did not provide the labor categories/skill mix, and labor hours necessary to perform the required tasks, attain and maintain the service level agreements, and provide the required deliverable for successful performance of these task areas. AR (EnterpriseTech), Tab 9, Proposal Assessment Report, at 42. With regard to the VTC services of task area 6, the agency found that EnterpriseTech proposed an inadequate number of labor hours to meet the VTC requirements. For example, in the base year EnterpriseTech proposed [DELETED] labor hours, as compared to the government staffing estimate of 15,360 labor hours. AR (EnterpriseTech) at 12. The agency concluded that the proposed hours were insufficient to provide the agency with an operational VTC capability, as required by the operations task order performance work statement. AR (EnterpriseTech), Tab 9, Proposal Assessment Report, at 42. The agency also concluded that the labor mix provided by EnterpriseTech service operations support team did not meet the solicitation's requirements because the proposal did not identify any labor categories for Audio/Video technicians. Id.

In addition, the agency concluded that EnterpriseTech's proposed use of its [DELETED] to provide VTC support service was unacceptable because EnterpriseTech did not identify how it would compensate for the loss of these hours from their assigned areas, and still meet the service level agreements for task area 2, IT service desk support. Id. In sum, the agency found that EnterpriseTech's approach creates an unacceptable level of risk that it will not meet the service level agreements identified in the operations task order performance work statement. Id.

With regard to DISA's evaluation of EnterpriseTech's proposed approach for transition to enterprise services support (task area 7), the agency found that the protester proposed an inadequate number of labor hours to meet the requirements and was therefore unacceptable. Id. EnterpriseTech proposed [DELETED] dedicated labor hours for this task area, and instead proposed to use its [DELETED] assigned to other requirements of task area 7 to provide the transition to enterprise services support. Id. The agency found this approach unacceptable because EnterpriseTech did not identify how it would compensate for the loss of these hours and still meet the operations task order service level agreements and provide the specific deliverables required under task area 7 such as: the enterprise service transition plan and integrated master schedule, the risk mitigation plan, and the life cycle support plan. Id.

Moreover, the agency found that there were no innovations or efficiencies in EnterpriseTech's approach that would justify the large disparity in hours present in the proposed staffing. Id. The agency also found that EnterpriseTech's proposed workforce was not particularly skilled or efficient. Id. at 42-43. The agency concluded that EnterpriseTech's proposal failed to show it could satisfactorily

perform the work with its proposed labor hours, and instead generally restates the requirements of the performance work statement. Id. at 43.

In answer to these evaluation conclusions, EnterpriseTech first asserts that the agency misled offers by inducing them to rely on historical data that were markedly different from the data used as the baseline for the evaluation. EnterpriseTech argues that the record demonstrates that the agency did not provide offerors with all available information and utilized an entirely different dataset in its government estimate, which was used to evaluate proposals. As discussed above, an agency must provide sufficient information in a solicitation so that offerors can compete intelligently and on a relatively equal basis. IBM Global Bus. Servs., supra. Based upon our review of the record, however, we find that the RFP reasonably provided offerors with adequate information to compete on a relatively equal basis.

While EnterpriseTech urges our office to find that the agency used an entirely different data set to formulate the RFP, this assertion is belied by the contracting officer's statement that the agency relied upon the same historical data given to the offerors. See Contracting Officer Statement (EnterpriseTech) (June 3, 2013), at 1-2. Furthermore, EnterpriseTech's arguments fail to recognize that the information provided in the RFP was to be assessed in accordance with the service level agreements as well as the standard operating procedures to arrive at an offerors proposed approach. The RFP did not state that the historical data provided minimum or maximum absolute numbers. Although the protester contends that the agency's evaluation here was similar to the facts of IBM Global Business Services, the agency here did not provide definitive numbers concerning the operations task order, and in fact, expressly declined to provide FTE data. Thus, while the protester's estimate may differ from the agency based upon their own interpretation of the historical data and requirements of the solicitation, we conclude that the protester does not demonstrate that the solicitation materially misled the offerors.

Moreover, the protester's illustration of how it was misled with regard to the VTC support requirement incorrectly characterizes the requirement. In this regard, EnterpriseTech states that the VTC requirements required a need to provide "one operator per session to support 30 VTC sessions per week." EnterpriseTech Comments (June 7, 2013) at 9. The text of the solicitation states "DISA averages approximately 30 VTC sessions per week and requires an operator to be present for each session." RFP, Attach. 1, Operations Task Order, at 4. In citing only to this limited reference, EnterpriseTech fails to acknowledge that this was not the only requirement for VTC support. In addition, this language did not advise offerors that this was a minimum or maximum number for VTC support. In this regard, there were other metrics to consider in calculating the labor hours necessary to fulfill the VTC requirements of the RFP. While the VTC services requirement included operating and maintaining the DISA VTC system to ensure 24x7 availability in all headquarters buildings, the RFP disclosed broader requirements including: providing technical subject matter expertise to all ongoing VTCs occurring in the

DISA headquarters building, conducting technical analysis and assessments of the current VTC system, coordinating and managing scheduling conflicts in DISA's VTC facilities, providing monthly status reports, and providing training on VTC systems. Id. at 22-23.

In sum, we see nothing misleading about the solicitation. EnterpriseTech has not shown that the agency's historical information, in conjunction with the other information provided in the solicitation, materially mislead offerors.

Next, EnterpriseTech asserts that the agency's evaluation unreasonably concluded that its proposal with regard to task area 7 introduced undue risk. We find nothing unreasonable about the agency's evaluation. As we concluded above, the agency's evaluation of the offerors reasonably compared proposed labor hours to the government's staffing estimate. The data provided in the solicitation contained actual service level agreements, standard operating procedures, and historical data from DISA's 2011 contract. Moreover, the offers were alerted that: (1) their labor hours would be compared to the government estimate, (2) the agency would not provide levels of FTE staffing or historical performance statistics, and (3) the agency's primary concern with this performance-based procurement was to ensure that the offerors could meet the performance requirements of the operations task order, including the service level agreements.

A procuring agency has discretion in determining whether a particular approach or product meets a solicitation's technical requirements, and we will not disturb the agency's determination unless it is shown to be unreasonable. Great Journey West, LLC, B-407045, Sept. 21, 2012, 2012 CPD ¶ 262 at 3. Here we think the availability of such information was sufficient to permit offerors to prepare a staffing proposal. To the extent EnterpriseTech asserts that the solicitation should have disclosed further information or that the historical data were somehow defective, such a protest ground is untimely. While EnterpriseTech proposed numerous efficiencies that it believed justified its proposed level of staffing, the record shows that the agency reasonably identified concerns regarding the effectiveness of the efficiencies, and as a result, concluded that the protester failed to propose adequate staffing. AR (EnterpriseTech), Tab 9, Proposal Assessment Report, at 42-43. Because an agency's evaluation is dependent on the information provided in a

proposal, it is the offeror's responsibility to submit an adequately written proposal for the agency to evaluate. See Agile Def., Inc., supra.

Accordingly, the protests are denied.¹²

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General Counsel

¹² Each of the protesters raised a number of collateral arguments. We have considered all of the protesters' arguments and allegations and find no basis to sustain its protest.