



United States Government Accountability Office
Washington, DC 20548

Decision

Matter of: Security Management & Integration, Inc.

File: B-409463

Date: April 3, 2014

Cecil Avery, Security Management & Integration, Inc., for the protester.
Mark B. Grebel, Esq., Defense Information Systems Agency, for the agency.
K. Nicole Willems, Esq., and Edward Goldstein, 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 quotation as unacceptable and elimination of the quotation from further consideration, is denied where the agency reasonably concluded that the protester's quotation failed to adequately respond to the solicitation's requirements.

DECISION

Security Management and Integration, Inc. (SMI) of Tacoma, Washington, protests the exclusion of its quotation from consideration for issuance of a task order under request for quotations (RFQ) RFQ837206, issued by the Defense Information Systems Agency (DISA), for computer network defense tool sustainment and data integration. The protester challenges the agency's evaluation of its quotation as unacceptable.

We deny this protest.

BACKGROUND

The RFQ, issued on November 26, 2013, under the Federal Supply Schedule procedures of Federal Acquisition Regulation Part 8, contemplated the issuance of a fixed-price task order for contract-level management assistance, application-level support and sustainment, data integration, analytic development, and technical engineering for current and future computer network defense tools to support the DISA Mission Assurance Executive's requirements, for one base year with three 1-year options. RFQ at 1. The RFQ advised that the vendor would be selected for the order on a best-value basis, considering three factors:

(1) technical/management approach; (2) security/supply chain risk management; and (3) cost/price, with the combined non-cost evaluation factors being more important than the cost/price factor. Id. at 2-5. The technical/management approach factor was comprised of four subfactors: (1) computer network defense tools engineering, sustainment and evolution; (2) data integration and audit management support; (3) security information event manager subject matter expert service support; and (4) management. Id. at 3.

Vendors were instructed to include specific items in their quotations, including, as they relate to this protest, a completed copy of Standard Form (SF) 328, Certificate Pertaining to Foreign Interests; a draft task order management plan, to be evaluated under the management subfactor of the technical/management approach factor; an organizational conflict of interest (OCI) plan; and a supply chain risk management plan to be evaluated under the security/supply chain risk management factor. Id. at 1-4. The RFQ provided that “[i]n order to be eligible for award, a quotation must be responsive and meet or exceed the stated evaluation factors,” and added that “[a]ll aspects of the [performance work statement (PWS)] must be addressed for a quotation to be considered responsive to the solicitation.” Id. at 2. The RFQ also advised that “[q]uotations that are rated as “red/unacceptable” or “red/fail” in any area may be excluded from further consideration.”¹ Id. at 2-3.

SMI submitted its quotation by the January 3, 2014 due date. The agency’s evaluation team concluded that SMI had “failed to address each of the PWS requirements, and was unacceptable for all of the technical/management approach subfactors, as well as the [security/supply chain risk management] factor.” AR, Tab 3, Emails Between the Chair of the Source Selection Evaluation Board (SSEB) and the Contracting Specialist; AR, Tab 7, Affidavit from the Chair of the SSEB. On January 28, 2014, the agency notified SMI that its quotation had been excluded from further consideration for award because the quotation did not include required information and documents. DISA Notification Letter to SMI, January 28, 2014. Specifically, DISA advised SMI that its quotation failed to include a completed copy of SF 328; a draft task order management plan; an OCI plan; a supply chain risk management plan; and that it did not address all elements of the PWS. Id. at 1-2. This protest followed.

DISCUSSION

The protester asserts that the agency’s evaluation was improper because the items identified by the agency as missing from SMI’s quotation are minor, do not represent key areas of importance and emphasis to be considered in the source

¹ The technical/management approach factor was to be rated adjectivally from blue/outstanding to red/unacceptable; whereas, the security/supply chain risk management factor was to be rated on a pass/fail basis. RFQ Evaluation Plan at 3.

selection decision, and do not support meaningful comparison and discrimination between and among competing quotations. Protest at 1. Alternatively, the protester argues that it provided all the required information, including the task order management plan and the supply chain risk management plan, within the main body of its quotation. SMI's Comments at 3.

In reviewing a protest challenging an agency's evaluation, our Office will not reevaluate the quotations; rather, we will examine the record to determine whether the agency's conclusions were reasonable and consistent with the terms of the solicitation and applicable procurement statutes and regulations. InnovaTech, Inc., B-402415, Apr. 8, 2010, 2010 CPD ¶ 94 at 4; OPTIMUS Corp., B-400777, Jan. 26, 2009, 2009 CPD ¶ 33 at 4. A firm has the responsibility to submit a well-written quotation, with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. Research Analysis & Maintenance, Inc., B-409024, Jan. 23, 2014, 2014 CPD ¶ 39 at 7. A firm that does not affirmatively demonstrate the merits of its quotation risks rejection of its quotation or risks that its quotation will be evaluated unfavorably. Id. A protester's disagreement with the agency's judgment is not sufficient to establish that the agency acted unreasonably. Encompass Group LLC, B-310940.3, Mar. 17, 2009, 2009 CPD ¶ 60 at 3; Advanced Tech. Sys., Inc., B-298854, B-298854.2, Dec. 29, 2006, 2007 CPD ¶ 22 at 8-9.

Here, the record reflects that the protester failed to submit the information required by the solicitation for purposes of evaluating the protester's quotation. First, the solicitation required the submission of a completed SF 328, and the protester does not dispute the omission of this document. RFQ at 2 and Protest at 1. Second, the RFQ required vendors to submit an OCI plan, delineating the existence of any OCIs. Id. at 1. To the extent a vendor did not believe any OCIs existed, the plan was to set forth sufficient details to support that position. Id. If a vendor identified the existence of an OCI, the plan was to explain how the OCI would be mitigated and/or avoided. Id. Although the record reflects that the protester provided an OCI certification, stating that it had no OCIs, it did not submit a detailed plan establishing the basis for this certification, as required by the RFQ. AR, Tab 2, SMI Quotation, OCI Questionnaire.

In addition to omitting the required SF 328 and the OCI plan, the record reflects that SMI failed to provide information relevant to the agency's evaluation under the technical/management approach and security/supply chain risk management factors. As noted above, vendors were to submit a draft task order management plan for evaluation under the technical/management approach factor. RFQ at 4 and Performance Work Statement (PWS) at 6.1.1. The RFQ also required vendors to submit a security/supply chain risk management plan for evaluation under the security/supply chain risk management factor. RFQ at 4 and PWS at 14.g. While the protester asserts that it provided all the required information in its quotation, it concedes that it did not provide these items as separate documents or plans, and it

does not point to any specific aspects of its proposal that address the required information. SMI's Comments at 3. Because the protester has not established that it provided the required plans, or otherwise demonstrated compliance with the terms of the solicitation, we have no basis to conclude that the agency acted unreasonably in rejecting the protester's quotation as unacceptable. As explained above, a vendor must affirmatively demonstrate the merits of its quotation, and risks rejection of its quotation if it fails to do so. Research Analysis & Maintenance, Inc., supra.

The protest is denied.

Susan A. Poling
General Counsel