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## Decision

**Matter of:** Global Dimensions, LLC

**File:** B-411288

**Date:** June 30, 2015

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Michael J. Gardner, Esq., and Shomari Brock Wade, Esq., Troutman Sanders LLP, for the protester.

Lt. Col. James. H. Kennedy, III, Lt. Col. Mark E. Allen, Maj. Carlos M. De Dios, and Capt. Joshua A. Roman, Department of the Air Force, for the agency.

Paul N. Wengert, Esq., and Tania Calhoun, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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### DIGEST

1. Protest that agency misevaluated awardee's proposed candidate for military exercise planning position under requirement for 5 years of exercise planning experience is denied where evaluators reasonably concluded that although the candidate's job title specifically included exercise planning for only 2 years, the candidate's experience in the prior 3 years included exercise planning responsibility.

2. Protest that agency misevaluated awardee's past performance as relevant is denied where evaluators recognized awardee's performance record did not include the specific services at issue, but nevertheless reasonably concluded that its performance record was relevant, and where evaluators' consideration of major subcontractor's past performance on highly-relevant contracts was consistent with solicitation's terms.

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### DECISION

Global Dimensions, LLC, of Fredericksburg, Virginia, a small business, protests the award of a contract to Bluehawk Intelligence Services, LLC, of West Palm Beach, Florida, by the Department of the Air Force under request for proposals (RFP) No. FA4814-15-R-0001 for commercial exercise planning and translation services for the United States Central Command headquarters at McDill Air Force Base in Florida. Global argues that the Air Force misevaluated Bluehawk's proposal and made an unreasonable source selection decision.

We deny the protest.

## BACKGROUND

The Air Force issued the RFP on December 30, 2014, as a commercial item solicitation, seeking the services of a full-time Arabic-speaking military exercise planner and additional linguist personnel on a periodic basis, “as dictated by the exercise lead planner.” Agency Report (AR) at 1; RFP at 22-23. The RFP was set aside for historically underutilized business zone (HUBZone) small businesses, and requested fixed-price proposals for a single indefinite-delivery/indefinite-quantity contract for a base year and 4 option years. RFP at 22-23.

The RFP identified three evaluation factors: price, mission capability, and past performance. RFP at 54. Under the mission capability factor, proposals were to be evaluated to determine technical acceptability; that is, on a pass/fail basis. Id. The RFP then listed five criteria, the first two of which applied to the exercise planner’s qualifications. The proposed exercise planner was required to have “a minimum of 5 years of exercise planning experience at the US Combatant Command level or equivalent,” and to have “a minimum of 5 years of translator/linguist experience” in Arabic at a specified high level of fluency. Id.

With respect to past performance, the RFP required the submission of past performance information for the offeror and “all subcontractors . . . who are proposed to perform twenty percent or more of the proposed effort . . . or perform aspects . . . critical to overall successful performance.” RFP at 52. The evaluation was to assess relevant performance references, focusing particularly on “performance that is relevant to the technical subfactors and price factor.” Id. The highest past performance rating, substantial confidence, was defined as past performance that showed “a high expectation” of successful contract performance; whereas the next lower rating, satisfactory confidence, applied where the record showed a “reasonable expectation” of successful performance. RFP at 55.

If the offeror submitting the lowest-priced, technically acceptable proposal also received a rating of substantial confidence under the past performance factor, that offeror’s proposal would be deemed the best value, and no other proposals would be evaluated under the non-price factors. RFP at 54. Otherwise, the agency would evaluate the other proposals and make a tradeoff between past performance and price to select an awardee. Id.

The Air Force received six proposals by the February 4, 2015 closing date. One proposal did not provide a price, and was rejected on that basis. Contracting Officer’s Statement at 4. The lowest-priced proposal was then evaluated as technically unacceptable, and was rejected on that basis. Id.

The next-lowest priced proposal was submitted by Bluehawk, and the Air Force proceeded to evaluate it under the mission capability factor. In assessing whether Bluehawk’s exercise planner had the required experience, the evaluators noted that

the candidate had 2 years of experience as the exercise planner for the incumbent contractor, preceded by approximately 3½ years of experience in the public affairs office/media center, in a different command office, for two other contractors. AR, Tab 12, Bluehawk Consensus Technical Evaluation, at 1. While the 2 years as an exercise planner would clearly apply, they concluded that the previous 3½ years also applied. Although the candidate's assignment in the public affairs/media office was not in an exercise planning position, they found that her duties had included a significant exercise planning role. Those duties included key support and planning efforts for one of the largest recurring exercises run by that command, and a key role in assessing the participation of the host nation in the exercise. Id. at 1-2; see also AR, Tab 11, Bluehawk Technical Proposal, at 6-7 (Exercise Planner Résumé). Taken together, the evaluators concluded that the candidate's experience met the 5-year minimum specified in the RFP, and thus qualified her to serve as the exercise planner for the contract at issue. AR, Tab 12, Bluehawk Consensus Technical Evaluation, at 1. They also concluded that she had almost 10 years of Arabic translation experience, and a level of fluency that exceeded the RFP requirement. Id. at 2.

After receiving the technical evaluation report, the source selection evaluation board (SSEB) chair and the contracting officer conferred, and concluded that they disagreed with the evaluators' conclusions about the adequacy of the exercise planning experience of Bluehawk's proposed exercise planner. AR at 4; Contracting Officer's Statement at 8. The SSEB chair sent an e-mail to the source selection authority (SSA) describing the issue, and asking for the SSA's views. AR, Tab 14, E-mail from SSEB Chair to SSA, Mar. 3, 2015, at 1. The SSA responded by explaining his observations. First, the SSA noted that exercise planning functions were spread among multiple directorates and special staff sections, and the candidate at issue "was the exercise planning representative from that Directorate/Staff Section as part of the [central command] exercise planning team effort." AR, Tab 14, E-mail from SSA to SSEB Chair, Mar. 4, 2015, at 1.<sup>1</sup> The SSA further explained that the candidate had been a "consistent and proven high caliber staff representative" for the public affairs directorate where she had been working. Id. While recognizing that her job included duties related to public affairs and communication, he explained that she "was also continuously active as an exercise planner" for that office, and therefore the SSA concluded that the candidate met the requirement for 5 years of experience as an exercise planner. Id.

Bluehawk's past performance proposal provided three references for itself and its major subcontractor. This subcontractor was to provide the person to fill the full-time exercise planner position. AR, Tab 11, Bluehawk Proposal, at 25. One reference was for Bluehawk, for an ongoing intelligence analysis services contract

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<sup>1</sup> The SSA's e-mail address is at CENTCOM.mil, which suggests that he also works within the United States Central Command.

begun in late 2012. Id. at 26-27. The two other references were for the subcontractor: a contract for exercise planning services, and a contract for translation of classified materials. Id. at 27-31.

The evaluators found Bluehawk's past performance included support of combatant commands and other organizations of the same size. AR, Tab 13, Past Performance Evaluation Rating Team Worksheet, at 2. They also found that Bluehawk's past performance reference showed that the firm had strong management abilities, and demonstrated a commitment to mission success, although the evaluators recognized that Bluehawk's past performance did not include exercise planning. Id. They noted, however, Bluehawk's successful efforts to avoid gaps in staffing, its efforts to resolve issues before they affected the agency's mission, and the relevance of Bluehawk's highly-rated management skills to the requirements of the contract at issue. Id.; see also AR, Tab 13, Past Performance Rating Individual Worksheet (Evaluator A), at 2-3 (handwritten comments).

The evaluators also concluded that Bluehawk's subcontractor had performed highly relevant exercise planning services. The firm had provided services for the same central command office as the one for which these services are to be performed, and had performed "phenomenally." Id., Evaluation Rating Team Worksheet, at 2. In addition, the firm's language expertise had avoided impediments that delayed previous planning work, and its skillful performance allowed for planning of more complex and effective exercises. Id. The evaluation of both firms noted that they had received exceptional ratings in all rated areas. Id. Based on the excellent performance by both firms on relevant and highly-relevant contracts, Bluehawk's proposal was rated substantial confidence under the past performance factor. Id. at 1.

Since Bluehawk's proposal was thus the lowest-priced technically acceptable proposal, and its past performance was rated substantial confidence, the SSA determined that the RFP provided for award to Bluehawk without considering Global's or the other higher-priced offerors' proposals. AR, Tab 15, Source Selection Decision Document, at 3, 10. After being notified of the award and receiving a debriefing, Global filed this protest.

## ANALYSIS

Global argues that Bluehawk's proposal should have been found unacceptable because the firm lacked an exercise planner with the required experience, and that the proposal should have been rated lower than substantial confidence under the past performance factor, because Bluehawk allegedly has only one employee and lacks any significant relevant past performance. Protest at 10-13; Comments at 4-5, 8-9. Ultimately, Global argues that the Air Force violated the evaluation criteria in the RFP by making the award on a lowest-priced, technically acceptable basis. Protest at 10; Comments at 10-11.

As explained below, our review of the record shows that the Air Force reasonably evaluated Bluehawk's proposal under the mission capability and past performance factors, and therefore the selection of Bluehawk's proposal for award, as the lowest-priced technically-acceptable proposal that had also been rated substantial confidence under the past performance factor, was reasonable and consistent with the terms of the RFP.

### Mission Capability Evaluation

Global argues that Bluehawk's proposal should have been found unacceptable under the exercise planner experience criteria of the mission capability factor.<sup>2</sup> Protest at 10; Comments at 4-5. The Air Force argues that the record shows that the agency debated whether Bluehawk's exercise planner met the experience requirement, and reached a reasonable judgment that the candidate had 5 years of experience in exercise planning. AR at 4.

In reviewing a protest challenging an agency's technical evaluation, our Office does not reevaluate proposals; rather, we review the agency's evaluation to determine whether it was reasonable and consistent with the solicitation, as well as applicable statutes and regulations. ASRC Research & Tech. Solutions, LLC, B-406164, B-406164.3, Feb. 14, 2012, 2012 CPD ¶ 72 at 8; see also Halfaker & Assocs., LLC, B-407919, B-407919.2, Apr. 10, 2013, 2013 CPD ¶ 98 at 6. A source selection official may disagree with the evaluation ratings of lower-level evaluators, and may make an independent evaluation judgment, provided that the basis for that judgment is reasonable and documented in the contemporaneous record. Halfaker & Assocs., LLC, supra, at 10. In such protests, our review also considers that the evaluation of experience (and past performance also, as discussed later) is subjective in nature. Id.

The evaluators concluded that Bluehawk's proposed exercise planner (employed by its subcontractor) had 5 years of experience in exercise planning, even though her job title did not expressly indicate those duties until the most recent 2 years. In particular, the evaluators considered the candidate's involvement in exercise planning during the 3½ years when she had been assigned to public affairs/media

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<sup>2</sup> In its comments, Global focuses only on the requirements for the full-time exercise planner. Comments at 2-5. To the extent that Global's initial protest could be read to raise a broader challenge to the technical evaluation of Bluehawk, the comments did not, so we address only the exercise planner's qualifications. See Alliance Tech. Servs., Inc., B-410307, B-410307.3, Dec. 1, 2014, 2014 CPD ¶ 345 at 3 n.2 (where agency report responds to protest, and protester's comments do not attempt to rebut agency position, GAO will deem issue to be abandoned).

positions.<sup>3</sup> As explained above, the contracting officer and SSEB chair disagreed with the evaluators, however, and concluded that the candidate showed only 2 years of exercise planning experience, when assessed against the RFP's performance work statement. AR, Tab 14, E-mail from SSEB Chair to SSA, Mar. 3, 2015, at 2. The SSA considered both arguments, and agreed with the evaluators that the candidate had a significant role in exercise planning for at least 3 years while at the public affairs/media assignments, that the experience demonstrated consistent and high caliber participation in exercise planning, and that the combined experience of the candidate met the 5-year experience requirement. AR, Tab 14, E-mail from SSA to SSEB Chair, Mar. 4, 2015, at 1.

While the SSEB chair and contracting officer's concerns are reasonable, in our view, the record also reflects thoughtful consideration by the three evaluators and most importantly, the SSA, which adequately support the conclusion that Bluehawk's candidate met the requirement for 5 years exercise planning experience "or equivalent." RFP at 54. Since this evaluation judgment is both well-documented and ultimately reasonable, we deny the protester's challenge to the technical evaluation of Bluehawk's proposal under the mission capability factor.

#### Past Performance Evaluation

Global also argues that the Air Force miscalculated Bluehawk's past performance. Global initially alleged that Bluehawk could not meet the standard for a substantial confidence rating because the company had been in existence for only 2 years, had only a single employee, and lacked relevant past performance. Protest at 11-13. In its comments, Global argues that the Air Force allowed Bluehawk to rely "unduly" on the past performance of its subcontractor to establish sufficient relevant past performance. Comments at 9. Global argues that this was improper because "the RFP d[id] not specifically provide for a subcontractor's past performance to be considered as highly as that of the principal offeror." Id. Further, Global argues that Bluehawk's own past performance, which the Air Force emphasized showed relevant management abilities, should nevertheless have been disregarded because management "is not an extremely rare attribute." Id. at 10.

The Air Force argues that it reasonably evaluated the performance of Bluehawk, including recognizing that the firm's past performance was relevant because it

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<sup>3</sup> The record also includes handwritten notes from the individual evaluators, which consistently show that each concluded that the candidate met the 5 year requirement. AR, Tab 12, Individual Technical Evaluation, at 1-2 (Evaluator A), 3 (Evaluator B), 5 (Evaluator C). In particular, Evaluator C described the candidate as having been "essentially [] dual-hatted" between public affairs and serving as the directorate's "primary representative" in exercise planning activities for the years when her job was in the public affairs/media office. Id. at 5.

involved support for similar agencies, and involved efforts of a similar size and scope, despite the firm's lack of past performance involving exercise planning. AR at 5. The agency also argues that it properly considered the highly-relevant past performance of Bluehawk's subcontractor, and that doing so was consistent with the RFP criteria because that subcontractor's employee was filling a critical position: the full-time exercise planner. Id. at 6-7.

As noted above, our review of a protest challenging the evaluation of past performance recognizes that the evaluation is subjective in nature. Halfaker & Assocs., LLC, supra, at 10. Here, the RFP provided for the agency to consider relevance of past performance references, including similarity in size and scope, not just in the particular type of services. The Air Force evaluators recognized that Bluehawk's past performance did not include exercise planning, but noted that the firm's past performance was nevertheless similar in other regards, including size, scope, and the provision of services to other combatant commands, thus making it relevant. See AR, Tab 13, Past Performance Evaluation Rating Team Worksheet, at 2; AR at 5. Based on this record, we view the agency's judgment as reasonable. We also agree with the Air Force that its consideration of the past performance of Bluehawk's subcontractor was proper under the terms of the RFP, given the significance of the firm's role in supplying a critical employee. In short, the Air Force's judgments in determining that both firms had relevant past performance, and that the past performance record supported a rating of substantial confidence, are explained in the contemporaneous record, and ultimately, reasonable. Accordingly we deny this ground of protest.

#### Source Selection Decision

Finally, Global argues that the Air Force departed from the best value award criteria because Bluehawk allegedly could not have met the criteria to be found technically acceptable and have a past performance rating of substantial confidence. Protest at 10. As a result, Global argues that the Air Force failed to make a required best value tradeoff between Bluehawk and other offerors (such as Global), and thus made an unreasonable source selection decision by simply selecting the lowest-priced proposal. Id.

In our view, Global's claims lack factual support. The record reflects that the Air Force evaluated the lowest-priced proposal as technically unacceptable, and rejected it on that basis. Then, upon reviewing Blackhawk's proposal, the Air Force evaluated it as technically acceptable under the mission capability factor, and as substantial confidence under the past performance factor, both of which were reasonable and consistent with the evaluation criteria. In that situation, the RFP provided that Bluehawk's proposal was to be deemed the best value without evaluating or making a tradeoff among other higher-priced proposals. RFP at 54.

Since Bluehawk's proposal met those standards, the award of the contract to Bluehawk was not a departure from the evaluation scheme in the RFP.

The protest is denied.

Susan A. Poling  
General Counsel