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## Decision

**Matter of:** Consummate Computer Consultants Systems, LLC

**File:** B-410566.2

**Date:** June 8, 2015

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Gregory S. Jacobs, Esq., Erin L. Felix, Esq., and Grace O. Aduroja, Esq., Polsinelli PC, for the protester.

Kasey Podzius, Esq., and Julie Cannatti, Esq., Department of Housing and Urban Development, for the agency.

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### **DIGEST**

Protest of agency's technical evaluation in a lowest-price, technically-acceptable procurement is denied where the record demonstrates that the agency's evaluation was reasonable and consistent with the terms of the solicitation.

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### **DECISION**

Consummate Computer Consultants Systems, LLC (Consummate), a small business located in Washington, DC, protests the issuance of a task order to Cloud Nine Technologies, Inc. (Cloud Nine), of Herndon, VA, under request for quotations (RFQ) No. DU100F-14-R-0001, issued by the Department of Housing and Urban Development (HUD), for information technology (IT) services.<sup>1</sup> Consummate challenges HUD's finding that its quote was technically unacceptable.

We deny the protest.

### **BACKGROUND**

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<sup>1</sup> While the cover page (SF 33) identified the solicitation as an RFP (*i.e.*, request for proposals), and the document included multiple references to proposals and offerors, the agency reports that it was a request for quotations. In keeping with the agency's characterization, we refer to the solicitation as an RFQ in this decision. The distinction between an RFP and an RFQ has no bearing on our analysis of the issues presented.

HUD issued the RFQ on March 19, 2014, under Federal Acquisition Regulation (FAR) subpart 8.4 procedures. RFQ at 1, 10. The RFQ, which was set aside for small businesses, was issued to vendors holding Federal Supply Schedule (FSS) contracts under General Services Administration (GSA) Information Technology Schedule 70. Id. at 10. The RFQ contemplated the issuance of a task order for IT services for HUD's policy and research information server (PARIS), for a 1-year base period and four option years. Id. PARIS supports the research and analytic mission of HUD's Office of Policy Development and Research. Agency Report (AR) at 1.

The RFQ established a lowest-price, technically-acceptable selection process, considering the following technical factors: (1) key personnel, and (2) management plan. RFQ at 123. Regarding the first factor, vendors were directed to list proposed key personnel and provide resumes (not to exceed two pages each) showing that the key personnel met the minimum qualifications set forth in the RFQ.<sup>2</sup> Id. at 121; AR, Tab 6, Amendment 4 at 114. The minimum qualifications for the key positions generally pertained to educational credentials, years/areas of experience, and skill area proficiencies. For example, the minimum qualifications for project manager included a bachelor's degree in one of several specified disciplines, 10 years of general experience in information systems, and--of particular relevance to this protest--"[d]emonstrated experience in using Earned Value Management (EVM) principles to manage projects," as well as "[d]emonstrated experience in project management in a research environment similar to HUD's Office of Policy Development and Research." RFQ at 116. The RFQ provided that HUD would evaluate whether the resumes demonstrated relevant prior experience, qualifications, education, and certification for personnel proposed to fill the key positions identified in the RFQ. Id. at 123.

With respect to the management plan technical factor, vendors were directed to provide a clear, concise management plan that would result in meeting the objectives and requirements contained within the performance work statement (PWS). Id. at 121. The management plan was to include each of the following elements: key personnel and responsibilities; proposed subcontracting arrangements and reporting relationships of all subcontractors; communications and coordination plans; schedules of all tasks and subtasks, meetings, and deliverables; clear lines of authority; a quality control plan; a cost and schedule baseline spreadsheet for each task that includes labor rates for each employee; and labor mix. Id.

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<sup>2</sup> In addition, vendors were required to provide a letter of commitment for each proposed employee. Id.

The agency received ten quotes prior to the April 17, 2014, due date. The agency ranked the quotes by price; the protester's quote was the second lowest-priced, and Cloud Nine's was third lowest in price. After evaluating the lowest-priced quote for technical acceptability (and finding it unacceptable), the agency evaluated Consummate's quote and also found it technically unacceptable. Cloud Nine's quote was then evaluated and found to be technically acceptable.

The agency issued a task order to Cloud Nine on September 26, 2014. Subsequently, Consummate filed a protest with our office challenging the order. We dismissed that protest as academic on October 17 after the agency notified us that it would take corrective action by reevaluating the technical quotes and making a new source selection decision.

In February of 2015, the technical evaluation panel (TEP) reevaluated quotes and found that Consummate's quote was unacceptable under both technical factors. AR, Tab 16, TEP Report at 4-6. Regarding the key personnel factor, the TEP concluded that the project manager's resume did not demonstrate experience with earned value management principles or management of projects in a research environment, as required by the RFQ. Additionally, the TEP found that neither of the two proposed business subject matter specialists had demonstrated experience with software/system development life cycle methodology or statistical analysis system/enterprise guide (SAS/EG) programming, both of which were minimum requirements for that position. Id.

The TEP also found Consummate's quote unacceptable under the management plan technical factor, concluding that the protester's approach would not result in meeting the objectives and requirements contained within the PWS. The TEP based its conclusion on its findings that the proposed project manager and business subject matter specialists lacked qualifications required by the PWS, and the management plan did not include a schedule for performance and deliverables for tasks 1-6 described in the PWS. Id.

The source selection authority concurred with the TEP report and found that the task order had been properly issued to Cloud Nine. AR, Tab 21, CO's Declaration. Consummate was notified of the source selection authority's decision not to issue a new task order on February 18, 2015, and this protest followed on March 2.

## DISCUSSION

Consummate argues that the agency's evaluation of its quote was unreasonable and inconsistent with the terms of the solicitation. Specifically, Consummate contends that the resumes it provided for the key positions of project manager and business subject matter specialist demonstrated experience in the areas that the evaluators

found to be lacking. The protester further argues that a schedule of task performance and deliverables for tasks 1-6 was not required by the RFQ.<sup>3</sup> In response, the agency maintains that it reasonably concluded that the resumes did not adequately demonstrate that Consummate's proposed key personnel met the requirements of the solicitation. The agency also disputes Consummate's assertion that it was not required to provide a schedule for the performance of tasks 1-6 and deliverables related to each of those tasks.

Where, as here, an agency issues a solicitation to FSS contractors under FAR subpart 8.4 and conducts a competition, we will review the record to ensure that the evaluation was reasonable and consistent with the terms of the solicitation. Digital Solutions, Inc., B-402067, Jan. 12, 2010, 2010 CPD ¶ 26 at 3-4. In reviewing a protest challenging an agency's technical evaluation, our Office will not reevaluate quotations; rather, we will examine the record to determine whether the agency's evaluation was reasonable and consistent with the terms of the solicitation and applicable procurement statutes and regulations. OPTIMUS Corp., B-400777, Jan. 26, 2009, 2009 CPD ¶ 33 at 4. A protester's disagreement with the agency's judgments does not establish that the evaluation was unreasonable. Amyx, Inc., B-410623, B-410623.2, Jan. 16, 2015, 2015 CPD ¶ 45 at 6. As explained below, we find that HUD's evaluation here was reasonable and that the record supports the agency's conclusion that Consummate's quote was unacceptable.

Consummate argues that HUD ignored information in its quote regarding the qualifications of its proposed key personnel. Two sections of Consummate's quote addressed the qualifications of proposed key personnel: the key personnel summary section (which represented that each minimum qualification was met), and the key personnel resumes (which repeated the above representations of compliance and included a work-history synopsis for each proposed employee). AR, Tab 8, Consummate's Quote, Volume 1, Technical and Management Information at 10-12; Appendix A at A1-A10. For example, in response to the requirement that the proposed project manager demonstrate (1) experience in using earned value management principles to manage projects, and (2) experience in project management in a research environment similar to HUD's Office of Policy Development and Research, both the table in the summary section and the resume for the protester's proposed project manager included the following language:

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<sup>3</sup> While this decision does not directly address all of the protester's arguments, we have considered all of Consummate's arguments and find that none of them provide a basis for sustaining this protest.

- “✓ Demonstrated experience in using Earned Value Management”; and
- “✓ Demonstrated project management experience in a research environment.”

Id. at 11; Appendix A, A-1.

While Consummate argues that the above statements, standing alone, are sufficient to demonstrate that its proposed project manager has the required experience, we disagree.<sup>4</sup> The RFQ provided that the agency would evaluate the proposed project manager’s resume to determine whether it demonstrated compliance with the required minimum qualifications for the position. The agency concluded that a mere restatement of the requirements pertaining to EVM and similar research experience, with check marks next to them, was not adequate to demonstrate that the proposed individual had the required experience in these areas. We are not persuaded that such a conclusion was unreasonable. See Henry Schein, Inc., B-405319, Oct. 18, 2011, 2011 CPD ¶ 264 at 9 (where solicitation required a description of offeror’s approach to meeting solicitation requirements, mere restatement of the requirements was insufficient).

Additionally, Consummate argues that the work history portions of the resumes demonstrated that the proposed key personnel satisfied the requirements of the RFQ. For example, the protester maintains that, contrary to the evaluators’ finding, the resume of one of its proposed business subject matter specialists demonstrated experience with software/system development life cycle methodology (SDLCM).<sup>5</sup> Consummate contends in this connection that SDLCM (which term was not specifically defined in the RFQ) is a general information systems and software engineering methodology used to describe the process of planning, creating, testing, and deploying information systems applications. Comments at 7. Consummate further argues that the resume in question showed that the proposed individual was an experienced SAS programmer, which, according to the protester, necessarily implies proficiency in the various steps associated with planning,

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<sup>4</sup> In one instance, the work history section actually contradicted the restated RFQ requirements, further weakening the protester’s argument that the restated requirements provided a reliable demonstration that the RFQ requirements were met. That is, while the qualification summary section of the resume indicated that the individual had 10 years of work experience, the work history showed only seven years of work experience (from 2006-2013). AR, Tab 8, Consummate’s Quote, Volume 1, Technical and Management Information, Appendix A at A9-A10.

<sup>5</sup> The RFQ allowed vendors to propose more than one person for each key personnel position. AR at 4. In such cases, a quotation would only be found unacceptable if neither person met the requirements of the RFQ.

creating, testing, and deploying SAS applications. Id. The protester also argues that the resume of its proposed project manager demonstrated experience in earned value management by indicating that the proposed project manager is a certified project management professional. Consummate explains in this regard that it is well understood in the project management field that familiarity with earned value management principles is required to obtain a project management professional certification.

The protester's arguments are based on an assumption that the agency should be required to cobble together and draw broad inferences from the information provided in the resumes in order to conclude that the requirements of the RFQ were met. We disagree. It is a vendor's responsibility to submit an adequately written quote that establishes its technical capability and the merits of its proposed approach, and allows for a meaningful review by the procuring agency in accordance with the evaluation terms of the solicitation. See Open System Science of Virginia, Inc., B-410572, B-410572.2, Jan. 14, 2015, 2015 CPD ¶ 37 at 8-9. Here, while the resumes restated the qualifications required by the RFQ, the accompanying work histories did not clearly demonstrate that the proposed key personnel had the qualifications required by the RFQ. As such, we find no basis upon which to conclude that the agency was unreasonable in finding that Consummate failed to demonstrate that its key personnel met the requirements of the RFQ.<sup>6</sup>

The protester also challenges the agency's finding that Consummate's quote was unacceptable under the management plan technical factor. We need not reach the protester's allegations in this regard, however, because, even if our Office were to find them meritorious, the record does not support a finding that the protester was prejudiced by the alleged evaluation errors. Prejudice is an essential element of every viable protest, and we will not sustain a protest where it is clear from the

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<sup>6</sup> The protester also argues that because Consummate has performed at least four recent HUD contracts, issued by the same procurement office as the RFQ here, the agency had information regarding the qualifications of Consummate's personnel that was too close at hand to ignore. We find that argument to be without merit. In certain circumstances, when evaluating past performance, we have held that evaluators cannot ignore information of which they are personally aware (i.e., information that is "too close at hand"), even if that information is not included in the offeror's proposal. See, e.g., Firestorm Wildland Fire Suppression, Inc., B-310136, Nov. 26, 2007, 2007 CPD ¶ 218 at 4. Consummate's arguments here are not in the context of a past performance evaluation, however, but rather relate to a technical evaluation. We have declined to apply the "too close at hand" doctrine in situations like this one, where the information relates to technical requirements of a solicitation. See Enterprise Solutions Realized, Inc.; Unissant, Inc., B-409642, B-409642.2, June 23, 2014, 2014 CPD ¶ 201 at 9.

record that a protester suffered no prejudice as a result of an agency evaluation error. Investment Management Enterprise, B-410762, B-410762.2, Feb. 9, 2015, 2015 CPD ¶ 77 at 4. Where the protester fails to demonstrate that, but for the agency's actions, it would have had a substantial chance of receiving the award, there is no basis for finding prejudice. See, e.g., Special Servs., B-402613.2, B-402613.3, July 21, 2010, 2010 CPD ¶ 169 at 4. Here, even if Consummate were to prevail in its challenges to HUD's evaluation under the management plan technical factor, Consummate's quote would still be unacceptable and ineligible for issuance of the task order, based on HUD's finding that Consummate's quote was unacceptable under the key personnel technical factor.

The protest is denied.

Susan A. Poling  
General Counsel