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**Comptroller General
of the United States**

**United States Government Accountability Office
Washington, DC 20548**

Decision

Matter of: HelpingGov Corporation

File: B-412257

Date: December 15, 2015

Melany Schmidt for the protester.

CPT Meghan E. Mahaney, Department of the Army, for the agency.

Peter D. Verchinski, Esq., and Nora K. Adkins, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest challenging agency's determination that the protester's proposal is unacceptable is denied where the agency reasonably found, consistent with the stated evaluation criteria, that the protester's proposal failed to meet the solicitation's minimum requirements.

DECISION

HelpingGov Corporation, a women-owned small business (WOSB), of Silver Spring, Maryland, protests the award of a contract to Innolect, Inc., a WOSB, of Fort Mill, South Carolina, under request for proposals (RFP) No. W9124C-15-R-TRNG, issued by the Department of the Army, Mission and Installation Contracting Command--Fort Jackson, for leadership development training programs. HelpingGov asserts that the agency improperly found its proposal to be technically unacceptable.

We deny the protest.

BACKGROUND

The RFP was issued as a WOSB set-aside on August 26, 2015, under the commercial acquisition procedures of Federal Acquisition Regulation (FAR) subpart 12.6. RFP at 1.¹ The solicitation sought proposals for the design and

¹ All citations herein are to the final version of the solicitation, issued as amendment No. 6.

delivery of leadership development training programs for the Army's training center in Fort Jackson, South Carolina. Id. at 4. The training programs were to include both individual training (via internet and email) and group training (via a three-day in-residence training at Fort Jackson), and were required to meet specific course content requirements set out in the solicitation's performance work statement. Id. at 4, 14.

The solicitation anticipated the award of a fixed-price indefinite-delivery, indefinite-quantity contract on a lowest-priced, technically acceptable basis for a base year and two 1-year option periods. Id. at 5. The solicitation identified two evaluation factors: technical capability and price. Id. at 79. The technical capability evaluation factor was composed of two subfactors: management approach and experience. Id. at 79-80.

As relevant here, the solicitation required offerors to provide a lesson plan that outlines the course requirements under the management approach subfactor. Id. at 79. Offerors were further informed that the government would evaluate the proposed course material "to ensure that it meets the minimum requirements as outlined in the PWS [Performance Work Statement]." Id. at 79-80. The PWS provided that, "[a]t a minimum the course content shall address" such items as "One on One feedback coaching," "Creativity and Innovation," and "Leading change within an organization," among other things. Id. at 14. Proposals that failed to meet the minimum requirements would be found technically unacceptable. Id. at 79.

Proposal preparation instructions directed offerors to respond separately to each evaluation factor. Id. at 75. In this regard, offerors were cautioned not to simply rephrase or restate the government's requirements in their technical volume, but to "provide convincing rationale to address how the offeror intends to meet the Government's requirements." Id. at 77. The RFP provided that, with respect to the technical capability factor, responses "shall be prepared in an orderly format and in sufficient detail to enable the Government to make a thorough evaluation of the [offeror's] technical competence and ability to comply with the requirements specified in the PWS." Id.

HelpingGov submitted its proposal by the September 22 closing date. The agency's evaluation of the protester's proposal found that it failed to address all of the solicitation's requirements. Agency Report (AR), Tab 12, Technical Evaluation, at 1. The agency rated HelpingGov's proposal technically unacceptable and did not further consider the proposal for award. Id.; Contracting Officer (CO) Statement at 2. The agency determined that Innolect provided the lowest-priced, technically acceptable proposal and made an award to the firm. CO Statement at 2.

On October 1, the agency posted the award notice on the FedBizOpps website. Id. HelpingGov received FedBizOpps' automated notice of award to Innolect on October 2 and requested a debriefing that same day. When the protester did not

receive a response from the agency, HelpingGov filed the current protest on October 5.²

DISCUSSION

The protester alleges that it submitted the lowest-priced technically acceptable proposal, and that the agency therefore should have awarded the contract to HelpingGov. In this regard, it asserts that its total price was \$219,505, while the awardee's price was \$427,986. In response to the protest, the agency explains that HelpingGov's proposal was found unacceptable because its course content did not address the requirements laid out in the solicitation including one-on-one feedback coaching (among other things).³

In reviewing protests of alleged improper evaluations and source selection decisions, it is not our role to reevaluate submissions; rather, we will examine the record to determine whether the agency's judgment was reasonable and in accord with the stated evaluation criteria and applicable procurement laws and regulations. Knome Inc., B-407619, Jan. 17, 2013, 2013 CPD ¶ 37 at 4. An offeror has the burden of submitting an adequately written proposal, and it runs the risk that its proposal will be evaluated unfavorably when it fails to do so. See 4D Sec. Solutions, Inc., B-400351.2, B-400351.3, Dec. 8, 2008, 2009 CPD ¶ 5 at 4. A protester's disagreement with an agency's judgment is not sufficient to establish that an agency acted unreasonably. Knome, Inc., supra.

Here, the agency's evaluation was unobjectionable. The record demonstrates that the evaluators properly determined that HelpingGov's proposal did not address all of the requirements set out in the PWS including one-on-one feedback coaching. Although HelpingGov disagrees with the agency's judgement, arguing that one-on-one coaching is a part of its 360 degree assessment, the fact is HelpingGov's proposal provided no such explanation. Indeed, its proposal contains no information regarding implementation of the one-on-one coaching requirement as set out in the PWS. As stated above, the RFP specifically required offerors to

² The contracting officer explains that weather conditions in South Carolina led her to be out of the Office from October 2 until October 13. CO Statement at 2.

³ The agency's evaluation also found that, with regard to HelpingGov's 3-day lesson plan, the firm provided a generic list of topic areas and subtopic areas that might be taught, and did not include any mention of two other specific tasks in the PWS: creativity and innovation, and leading change within the organization. AR, Tab 14, Declaration of Technical Evaluator.

demonstrate how they would meet the minimum PWS requirements.⁴ Given the protester's failure to do so, we find the agency's evaluation to be reasonable.

The protest is denied.

Susan A. Poling
General Counsel

⁴ To the extent the protester asserts that it is not possible for offerors to provide sufficient detail given the RFP's 15-page limit, such a challenge to the terms of the solicitation had to be filed prior to the closing time for receipt of proposals. 4 C.F.R. § 21.2(a)(1).