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

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# Decision

**Matter of:** Ross Technologies, Inc.

**File:** B-405266.2

**Date:** December 7, 2011

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Paul A. Debolt, Esq., Dismas N. Locaria, Esq., Melanie Jones Totman, Esq., and Brendan Lill, Esq., Venable LLP, for the protester.  
Sharon A. Jenks, Esq., and Maj. J. Bryan Warnock, Department of the Air Force, for the agency.  
Kenneth Kilgour, Esq., and Edward Goldstein, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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## DIGEST

Protest that agency unreasonably evaluated proposals is denied where the agency provided a detailed report responding to the evaluation challenges raised by the protester, yet the protester failed to meaningfully comment on the agency's detailed defense.

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## DECISION

Ross Technologies, Inc. (RTGX), of Baltimore, Maryland, protests the award of a contract to eSolutions Architects, of Montgomery, Alabama, by the Department of the Air Force under request for proposals (RFP) No. FA8771-11-R-1008 to provide the Air Force Systems Networking Office (AFSN) with large-scale enterprise network support, integration, and development. The protester alleges that the agency improperly evaluated proposals, used unstated evaluation criteria in its evaluation, and rendered a flawed best value determination.<sup>1</sup>

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<sup>1</sup> RTGX also alleged the following: that the agency evaluated the offeror's disparately under the technical approach criteria when it rated eSolutions higher, though "presumably" assigning both offerors' proposals the same number of weaknesses, Protest at 31; that the agency "apparent[ly]" failed to perform a reasonable cost realism analysis, *id.* at 36; that, because the agency makes no mention of it in the protester's debriefing, the agency must have failed to make an affirmative determination of the awardee's responsibility; and that the awardee's proposal

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We deny the protest.

The RFP contemplated the award of a fixed-price contract, with the successful offeror providing enterprise networking, implementation, fielding and project support to the AFSN office for the development, adaptation and deployment of the Air Force Infrastructure. The four evaluation criteria, in descending order of importance, were: technical approach, management approach, past performance, and price/cost.

The agency planned to assign one of the following five adjectival ratings under the technical and management approach factors: exceptional, acceptable, marginal, and unacceptable.<sup>2</sup> The agency evaluated the protester's proposal as marginal under technical approach and management approach, and evaluated eSolution's proposal as acceptable under both. The agency made award to eSolutions, and this protest followed.<sup>3</sup>

RTGX challenges its marginal ratings under the technical approach and management approach factors. Protest at 12. In reviewing a protest against an agency's evaluation of proposals, our Office will not reevaluate proposals, but instead will examine the record to determine whether the agency's judgment was reasonable and consistent with the stated evaluation criteria and applicable procurement statutes and regulations. Shumaker Trucking & Excavating Contractors, Inc., B-290732, Sept. 25, 2002, 2002 CPD ¶ 169 at 3. A protester's mere disagreement with the agency's judgment in its evaluation does not establish that the evaluation was unreasonable. VT Griffin Servs., Inc., B-299869.2, Nov. 10, 2008, 2008 CPD ¶ 219 at 4.

The agency asserts that it carefully considered the protester's proposal and properly concluded that it failed to meet the requirements of "standard 2" under subfactor 1, of the technical approach factor.<sup>4</sup> Agency Report (AR) at 5-7. In this regard, the

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should have been rejected as technically unacceptable, because it was obvious on the face of the proposal that the offeror would not meet the RFP's limitations on subcontracting requirement. These unsupported and speculative contentions fail to state a valid basis of protest, see Bid Protest Regulations, 4 C.F.R. §§ 21.1(c)(4) and (f) (2011), and were previously dismissed. Email from GAO to Parties, Oct. 5, 2011.

<sup>2</sup> The agency's evaluation of past performance and cost/price are not at issue in this protest.

<sup>3</sup> This is the second protest filed by RTGX under this RFP. The Air Force took corrective action in response to the earlier protest, which we then dismissed as academic.

<sup>4</sup> The technical approach factor was divided into two subfactors. Subfactor 1 was divided into seven discrete standards. The agency report included a detailed

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agency report identifies specific proposal shortcomings from the contemporaneous evaluation. Under the management factor, the agency report, again, discussed numerous, specific evaluated shortcomings in the protester's proposal, to include, among others, the protester's failure to adequately address "standard 6" under subfactor 1, of the management approach factor.<sup>5</sup> AR at 8-12.

In its comments on the agency report, the protester's substantive response to the agency's analysis, in its entirety, was that "RTGX has previously addressed the merits of these protest grounds in its initial protest, which RTGX incorporates herein by reference, and respectfully requests that the GAO issue a decision on the current record." Comments, Oct. 24, 2011 at 1. A protester bears the burden of proving that an evaluation was unreasonable, and mere disagreement with the agency does not render the evaluation unreasonable. Ogden Support Servs., Inc., B-270354.2, Oct. 29, 1996, 97-1 CPD ¶ 135 at 3. Here, given RTGX's failure to meaningfully dispute, or even address, the agency's detailed defense of its evaluation of the protester's proposal under the challenged criteria, we have no basis to conclude that the agency's assessment was unreasonable.

The protest is denied.

Lynn H. Gibson  
General Counsel

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explanation of how RTGX's proposal did not set forth a sound approach for the development and execution of strategies for supporting the Air Force Network, which was to be evaluated under technical approach, subfactor 1, standard 2.

<sup>5</sup> The management approach factor included three subfactors. Subfactor 1 was divided into seven discrete standards. The agency report included a detailed discussion of how RTGX's proposal did not adequately address the advanced notification requirements associated with subfactor 1, standard 6, of the management approach factor.