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Decision

Matter of: Soliel LLC
File: B-414060
Date: January 26, 2017

Paul F. Khoury, Esq., and Tracye Winfrey Howard, Esq., Wiley Rein LLP, for the protester.,
Dennis A. Adelson, Esq., and Peter J. Dickson, Esq., Department of Labor, for the agency.
Scott H. Riback, Esq., and Tania Calhoun, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Agency properly rejected proposal that included information identifying the offeror where solicitation explicitly required that all identifying information be redacted from proposals.

DECISION

Soliel, LLC, of Vienna, Virginia, protests the rejection of its proposal under request for proposals (RFP) No. DOL-OPS-16-R-00036, issued by the Department of Labor (DOL) for web support services. Soliel maintains that the agency unreasonably rejected its proposal for including information that revealed its identity, contrary to the terms of the RFP.

We deny the protest.

The RFP was issued as a competitive acquisition under section 8(a) of the Small Business Act, 15 U.S.C. § 637(a), and contemplates the award of a contract for a base year and four 1-year options to perform a variety of web support services. As is pertinent to the protest, the RFP required offerors to redact any information from their proposals that might identify the offering company. RFP Instructions to Offerors at 2; RFP Amendment 2, Offeror Questions and Answers, Questions 146, 164.

The agency received a number of proposals in response to the solicitation, and after reviewing the proposal submitted by Soliel, DOL rejected it because it included

information that enabled the agency to identify Soliel's subcontractor, TriTech Enterprise Systems, Inc., the incumbent contractor for the requirement, as a member of the offering team. The information that enabled the agency to identify Soliel's subcontractor was comprised of a number of references in the Soliel proposal that essentially described the offeror as the concern currently providing the services being solicited.

Soliel protests that it did everything that it was required to do in redacting its identity (and that of its subcontractor) from its proposal, including not naming itself or its subcontractor, and removing any identifying information (for example, company logos, addresses or employee names) that comprised the offering team. Soliel therefore argues that the agency unreasonably rejected its proposal.

We find no merit to the protest. In reviewing protests challenging an agency's evaluation of proposals, our Office does not reevaluate proposals or substitute our judgment for that of the agency; rather, we review the record to determine whether the agency's evaluation was reasonable and consistent with the solicitation's evaluation criteria, as well as applicable statutes and regulations. ManTech Advanced Systems International, Inc., B-413717, Dec. 16, 2016, 2016 CPD ¶ 370 at 3. In addition, an offeror is responsible for submitting an adequately written proposal and bear the risk that the agency will find its proposal unacceptable where it fails to demonstrate compliance with all of a solicitation's requirements. Id. at 5, 7.

Here, as noted, the RFP required offerors to redact any information from their proposals that would reveal the identity of the offeror. The record shows that Soliel included various descriptions of the work that its subcontractor currently was performing for the agency. For example, the Soliel proposal states: "We are very familiar with the DOL/OPA SOPs [Department of Labor/Office of Public Affairs Standard Operating Procedures] since we have been supporting DOL [Agency 4] and [Agency 5] for many years." Soliel Technical Proposal at 1. Elsewhere, the Soliel proposal stated:

Team QSR-71-16 [Team Soliel] maintains existing content and makes updates to the LaborNet and DOL.gov websites. We move files for DOL.gov and regional agency websites to the production servers on daily basis. We make changes to the "Elevator Poster" based on current events weekly. We post updates to the New Core Financial Management System (NCFMS) and Division of Central Accounting Operations (DCAO) sites daily. We develop and post bi-weekly and monthly newsletters for OCIO [Office of the Chief Information Officer], Office of Disability Employment Policy (ODEP) and Veterans' Employment and Training Service (VETS). We also distribute newsletters through GovDelivery. We post National news clips, Current Central Accounting Reporting System (CARS) Preliminary Daily Suspense/F-Account CARS Detail Transactions for DCAO,

CARS Detail Transaction Report, NCFMS Topic, NCFMS Training DCAO FY 10 Cancelled Extract report, DCAS Scorecards and other content. We create web banners for LaborNet and develop new microsites on Drupal. All services provided and products delivered comply with Section 508 requirements.

Id. at 4.

In short, the Soliel proposal included detailed information relating to the ongoing performance of its subcontractor, TriTech, under the predecessor contract. This information enabled the agency to conclude that TriTech was part of the offering team. While the protester may have redacted the names of the teaming partners that were submitting the proposal, it is obvious from even a casual examination of the Soliel proposal that the protester conveyed to the agency the fact that the current incumbent contractor was part of the offering team. Under the circumstances, and in light of the fact that the RFP prohibited offerors from including any information in their proposals that revealed the identity of the offeror, we conclude that the agency reasonably rejected the Soliel proposal.

The protest is denied.

Susan A. Poling
General Counsel