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Decision

Matter of: Ryan Consulting Group, Inc.

File: B-415716.8

Date: October 31, 2018

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DIGEST

Protest challenging the agency’s evaluation of protester’s proposal under the technical experience evaluation factor is denied where the record shows that the evaluation was reasonable and consistent with the solicitation.

DECISION

Ryan Consulting Group, Inc., a small business of Indianapolis, Indiana, protests the exclusion of its proposal from the competition by the Department of the Air Force under request for proposals (RFP) No. FA8771-17-R-1000 for information technology (IT) services.

We deny the protest.

BACKGROUND

On September 28, 2017, the Air Force issued the Small Business Enterprise Application Solutions (SBEAS) RFP, which was set aside for small businesses, pursuant to the procedures of Federal Acquisition Regulation (FAR) part 15. Agency Report (AR), Tab 5, RFP at 162.¹ The solicitation contemplated the award of 40 indefinite-delivery,

¹ Citations to the RFP are to the conformed copy provided by the agency. AR, Tab 5, RFP.

indefinite-quantity (IDIQ) contracts with a 5-year base and 5-year option ordering period. Id. at 138-139, 162. The scope of the SBEAS RFP included a “comprehensive suite of IT services and IT solutions to support IT systems and software development in a variety of environments and infrastructures.” Id. at 130. Additional IT services in the solicitation included, but were not limited to, “documentation, operations, deployment, cybersecurity, configuration management, training, commercial off-the-shelf (COTS) product management and utilization, technology refresh, data and information services, information display services and business analysis for IT programs.” Id.

Proposals were to be evaluated based on two factors, technical experience and past performance.² Id. The technical experience factor was comprised of ten technical elements and various sub-elements (each with a designated point value), and one non-technical experience element.³ Id. at 165-172. The past performance factor was comprised of the following three subfactors in descending order of importance: life-cycle software services, cybersecurity, and information technology business analysis. Id. at 164. Award was to be made on a past performance tradeoff basis among technically acceptable offerors, using the three past performance subfactors. Id. at 162.

Section L of the solicitation instructed offerors that “[t]he proposal shall be clear, specific, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims.” Id. at 142. Offerors were instructed to not simply rephrase or restate requirements, but to “provide [a] convincing rationale to address how the [o]fferor’s proposal meets these requirements.” Id. The RFP also instructed offerors to assume that the agency has no knowledge of the offeror’s facilities and experience, and would “base its evaluation on the information presented in the [o]fferor’s proposal.” Id.

The solicitation provided that offerors should submit their proposals in four volumes: capability maturity model integration (CMMI) documentation, technical experience, past performance, and contract documentation. Id. at 145. As relevant to this protest, the

² The solicitation stated that pursuant to “10 U.S.C. § 2305(a)(3)(C), as amended by Section 825 of the National Defense Authorization Act (NDAA) for Fiscal Year 2017, the Government will not evaluate cost or price for the IDIQ contract. Cost or price to the Government will be considered in conjunction with the issuance of a task or delivery order under any contract awarded hereunder.” RFP at 162.

³ The technical experience factor was comprised of the following technical elements: life-cycle software services; cybersecurity; IT business analysis; programming languages/frameworks; tools/software development methodologies; platforms/environments; database components; mobile/internet of things; server operating systems; and COTS/GOTS (government-off-the-shelf)/FOSS (free and open source software) software, as well as the non-technical experience element of government facility clearance level. Id. at 165-171.

technical volume was to contain a table of contents, a cross-reference matrix,⁴ a glossary of terms, a self-scoring worksheet, and technical narratives. Id. at 149. The RFP instructed offerors to describe in the technical narrative section of their proposals, experience that supports the technical element points claimed in the self-scoring worksheet. Id. at 149.

The solicitation stated that the agency intended to evaluate proposals and make awards without discussions to the offerors deemed responsible, and whose proposals conformed to the solicitation's requirements and were judged, based on the evaluation factors, to represent the best value to the government.⁵ Id. at 163.

Section M of the solicitation set up a tiered evaluation process. Id. at 163-164. The first step of the evaluation was a CMMI appraisal, which required offerors to be certified at level 2 in CMMI.⁶ Id. If an offeror passed the CMMI appraisal as level 2 certified, the agency would then evaluate an offeror's technical experience using the self-scoring worksheet and technical narratives provided by the offeror. Id. at 164. The solicitation provided that technical experience would receive an adjectival rating of acceptable or unacceptable. Id. A proposal would be considered acceptable when it attained 4,200 points per the self-scoring worksheet, "and verified per the technical narratives." Id. at 165. Section M further provided that the agency would "utilize the technical narratives provided by each offeror in conjunction with the self-scoring worksheet used by each offeror to claim points in the 10 technical elements and in the one non-technical experience element." Id. at 164.

In the event that technical experience was evaluated as acceptable, the agency would then evaluate the offeror's past performance. Id. at 164. The agency would review the accompanying past performance narratives and evaluate each offeror's past performance references for recency, relevancy, and quality.⁷ Id. at 172.

⁴ The RFP's instructions directed offerors to complete a cross-reference matrix, which was attached to the solicitation. Id. at 146, 179-183. The offeror's cross-reference matrix was required to demonstrate "traceability" between the offeror's contract references. An offeror's cross-reference matrix was required to show "which contract references [were] used to satisfy each technical element and each past performance sub-factor." Id. at 146.

⁵ The agency's estimated value for all of the SBEAS contract awards is a maximum of \$13.4 billion. Contracting Officer's Statement (COS) at 3.

⁶ CMMI is a process level improvement training and appraisal program that is administered by the CMMI Institute.

⁷ The RFP provided that each offeror must receive a confidence rating of "[s]atisfactory or higher" for each past performance subfactor in order to be eligible for award. Id. at 164.

Ryan timely submitted its proposal in response to the solicitation. On July 13, the agency notified Ryan that its proposal was considered unacceptable and had been eliminated from further consideration because its proposal received a score of only 3,600 points under the technical experience factor. Protest, Exh. 1, Ryan Notice of Ejection from Competition (July 13, 2018) at 1. On July 23, Ryan filed this protest with our Office.

DISCUSSION

Ryan protests the exclusion of its proposal from the competition, alleging that the agency failed to properly evaluate its proposal under the technical experience factor. Specifically, the protester contends that the agency “failed to give” Ryan any credit for several sub-elements of the various technical elements, despite “clear evidence” that Ryan met the requirements of those sub-elements. Protest at 16. The protester contests the agency’s evaluation of seven sub-elements of its proposal; two sub-elements of the life-cycle software services element, one sub-element of the cybersecurity element, two sub-elements of the IT business analysis element, and two sub-elements of the platforms/environments element. Id. at 16-27. While we do not address each of the protester’s arguments, we have reviewed them all and find that none provide a basis to sustain the protest. We discuss two representative examples below.

Our Office will examine an agency’s evaluation of an offeror’s technical experience only to ensure that it was reasonable and consistent with the stated evaluation criteria and applicable statutes and regulations. See Shumaker Trucking & Excavating Contractors, Inc., B-290732, Sept. 25, 2002, 2002 CPD ¶ 169 at 3. A protester’s disagreement with a procuring agency’s judgment, without more, is insufficient to establish that the agency acted unreasonably. WingGate Travel, Inc., B-412921, July 1, 2016, 2016 CPD ¶ 179 at 4-5. Moreover, it is an offeror’s responsibility to submit an adequately written proposal with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. See International Med. Corps, B-403688, Dec. 6, 2010, 2010 CPD ¶ 292 at 8. An offeror’s technical evaluation is dependent on the information furnished, and an offeror that fails to submit an adequately written proposal runs the risk of having its proposal downgraded. LOGMET, B-400535, Oct. 30, 2008, 2008 CPD ¶ 199 at 3.

Life-cycle Software Services

The life-cycle software services element was comprised of the following five sub-elements: developing/implementation; re-engineering; data or system migration; modernization; and COTS/GOTS/FOSS enterprise resource planning software systems. RFP at 165-166. Ryan protests the agency’s evaluation of its proposal under the developing/implementation sub-element of this element. In order to receive the 500 points available under this sub-element, an offeror was required to demonstrate experience in the design, build, test and implementation of an information system in each of four specified areas. Id. at 165-166, 185. As relevant to this protest, the

agency found that Ryan's proposal did not demonstrate experience in "[t]he process of implementing software solutions to one or more sets of problems," one of the four specific areas of the sub-element. AR, Tab 12, Ryan Technical Evaluation at 2.

The protester contends that a "fair reading" of its technical proposal "fully and comprehensively" demonstrates the life-cycle software implementation services that it had performed "as part of RYAN'S CMMI Level 3 process for [DELETED]." Protest at 17. In this regard, Ryan points to the following language in its proposal:

RYAN successfully completed 71 communication & information requirements documents (C&IRDs) and discrepancy reports (DRs) on both [DELETED] systems and subsystems; and LMDB [logistics management databank] D075 systems and subsystems. These items were completed on schedule, on budget, within scope, and on time in accordance with the integrated master schedule (IMS) delivered to and approved by the [DELETED] Program Management Office (PMO).

Protest at 12, citing AR, Tab 6, Ryan Proposal, Vol. II, Technical Proposal at 10. Ryan contends that this statement is equivalent to implementing software solutions to "one or more set of problems," because it could not have implemented solutions for 71 C&IRDs and DRs "without providing design processes as part of the implementation of those solutions." Comments at 13 and 14.

The protester further contends that the agency's evaluation of this sub-element was unreasonable because nowhere in the RFP was Ryan instructed to identify specific projects by name regarding this sub-element.⁸ Comments at 15.

The agency responds that Ryan's proposal narrative provided a "generic process" for lifecycle software development and implementation services, and failed to demonstrate Ryan applying that process to implement a software solution to "one or more sets of problems," as required by the evaluation criteria for this sub-element. COS at 9 citing RFP at 166. The agency's evaluation further provided that "[s]tating 71 requirements and discrepancies were completed on schedule does not demonstrate the offeror's experience." AR, Tab 12, Ryan's Technical Evaluation at 2. According to the agency, under this sub-element it was not evaluating the large number of software solutions that the offeror had provided, rather, it sought to evaluate how the offeror took a problem, or problems, and came up with a software solution. COS at 10. Here, the agency determined that while Ryan's proposal provided the offeror's analysis, design, development processes, it did not identify a set or sets of problems to which Ryan implemented a software solution, using these stated processes, as required by the solicitation. Id.

⁸ The protester also argues that the agency failed to consider its entire response to this sub-element. Comments at 14. We have reviewed the record and found no reason to conclude that the agency failed to consider Ryan's entire response to this sub-element.

Based on our review of the record, we agree that the agency reasonably evaluated Ryan's proposal under this sub-element. The record demonstrates that the agency reasonably determined that the protester failed to include adequate detail concerning the implementation of its software solutions to one or more sets of problems. Here, the language of the evaluation criterion for this sub-element, "the process of implementing software solutions to one or more sets of problems," demonstrated that the agency was seeking a more specific answer than that provided by Ryan. RFP at 166. The protester's broad-brush response mentioning 71 C&IRs and DRs on [DELETED] and LMDB systems and subsystems failed to address the solicitation language that asked the offeror to explain the process of implementing software solutions to "one or more" sets of problems.

In addition, Ryan's criticisms of the agency's evaluation of its proposal under this sub-element indicate that the offeror misunderstands the agency's concerns. We agree with Ryan's contention that it was never required by the evaluation criterion to specifically identify a project by name (Comments at 15), however, as stated above, the agency wanted Ryan to run through the process of identifying a problem, or problems, and implementing a software solution to address that specific problem so that the agency could evaluate the entire process. It was Ryan's failure to identify a problem and demonstrate implementation of a software solution to address that problem that the agency found lacking in Ryan's proposal under this sub-element, not the fact that Ryan failed to specifically identify a project.

In sum, we find the agency's categorization of Ryan's response under this sub-element as "generic" to be reasonable. We also find that the agency reasonably viewed Ryan as asserting that the solicitation required the offeror's process of implementation and deployment services. Notwithstanding Ryan's assertion, the solicitation actually required the offeror's demonstrated experience in design, build, test, and implementation of an information system as defined in "the process of implementing software solutions to one or more sets of problems." COS at 10 citing RFP at 166. As a result, we find that Ryan's argument that it provided adequate detail, amounts to disagreement with the evaluation, which without more, is insufficient to establish that the agency's evaluation under this sub-element was unreasonable.

IT Business Analysis

The IT business analysis element was comprised of the following four sub-elements: requirements analysis; testing, validation and verification; service desk/help desk; and functional business area expert. RFP at 167-168. Ryan challenges the agency's evaluation of its proposal under the requirements analysis sub-element of this element. In order to receive the 150 points available under this sub-element, offerors were required to demonstrate experience in each of the following two areas: providing requirements analysis as a life-cycle software service, and working with stakeholders to define a design solution. RFP at 167. The agency found that Ryan's proposal demonstrated experience in providing requirements analysis, but failed to demonstrate

experience in working with stakeholders to define a design solution. AR, Tab 12, Ryan's Technical Evaluation at 6.

Ryan argues that its proposal did demonstrate experience working with stakeholders to define a design solution. Ryan points to language in its proposal describing its work performing a software upgrade to out of date software, arguing that the completed upgrade was the solution. Protest at 22. In this regard, Ryan's proposal stated the following:

Some requirements for the [DELETED] legacy system require considerable time and effort to produce accurate estimates of cost, schedule, and resources. RYAN planned a FOCUS software upgrade that was 17 years behind the latest version. Our team conducted a thorough analysis that recommended the testing of over 950 batch modules, menu processes and 125 [DELETED] components. The results of our analysis accurately estimated 12 months and an additional two full-time equivalents (FTEs) to conduct the required testing while maintaining the production system. RYAN's analysis helped to present a compelling argument to the [DELETED], and contracting office for the need for additional resources and time to effectively conduct the software upgrade and reduce project risks. Our analysis of the requirements required we bring on additional resources to test and move to production which enabled RYAN to keep the project on schedule and resulted in a successful upgrade.

AR, Tab 6, Ryan Proposal, Vol. II, Technical Proposal at 24.

The protester also contends that its proposal was "replete with statements about RYAN's work with stakeholders and repeatedly emphasized RYAN'S work with stakeholders to define the design solution." Comments at 29.

The agency responds that the section of Ryan's proposal, quoted above, demonstrated the offeror presenting an argument for more resources to the stakeholders, and failed to show the offeror working with a stakeholder to define a software design solution. COS at 18; AR Tab 12, Ryan's Technical Evaluation at 17. The agency notes that the solicitation defines software design as "[t]he process of implementing software solutions to one or more sets of problems." RFP at 210. Regarding Ryan's arguments that its proposal contained many references to its work with stakeholders, the agency agrees that Ryan's proposal indicated that it worked with stakeholders when defining requirements, however, the agency argues that Ryan's proposal failed to demonstrate that it worked with stakeholders to define a design solution, as required by the solicitation. COS at 17.

Based on our review of the record, we conclude that the agency reasonably found that Ryan's proposal failed to demonstrate that it had worked with a stakeholder to define a design solution. We find reasonable the agency's conclusion that the quotation from Ryan's proposal, stated above, concerned the allocation of resources, rather than working with the stakeholder to achieve a software design solution. It was Ryan's

responsibility to prepare a well-written proposal. Here, the protester failed to clearly provide all of the information required under this sub-element. In addition, Ryan's argument that its proposal contained sufficient references to its work with stakeholders to define a design solution, amounts to disagreement with the agency's evaluation, which, without more, fails to establish that the agency's evaluation was unreasonable. Accordingly, we find no basis to question the agency's evaluation of Ryan's proposal under the requirements analysis sub-element.

The protest is denied.

Thomas H. Armstrong
General Counsel