



U.S. GOVERNMENT ACCOUNTABILITY OFFICE

441 G St. N.W.
Washington, DC 20548

Comptroller General
of the United States

Decision

DOCUMENT FOR PUBLIC RELEASE

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Matter of: Computer World Services

File: B-417356

Date: May 16, 2019

Lee Dougherty, Effectus, PLLC, for the protester.
Sean T. White, Esq., Clapp Ferrucci, for Ryan Consulting Group, Inc., the intervenor.
LaTonya McFadden, Esq., Department of Defense, Defense Information Systems Agency, for the agency.
Todd C. Culliton, Esq., and Tania Calhoun, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest is denied where the evaluation record and source selection decision were adequately documented and made in accordance with the terms of the solicitation.

DECISION

Computer World Services (CWS), of Falls Church, Virginia, protests the issuance of a task order to Ryan Consulting Group, Inc., of Indianapolis, Indiana, under request for proposals (RFP) No. S5102A93442, issued by the Defense Information Systems Agency for information technology (IT) services. CWS argues that the agency unreasonably evaluated its proposal and improperly made its source selection decision.

We deny the protest.

BACKGROUND

The RFP was issued on January 8, 2019, under the National Institutes of Health Information Technology Acquisition and Assessment Center Chief Information Officer--Solutions and Partners 3 governmentwide acquisition contract in accordance with the procedures under Federal Acquisition Regulation (FAR) part 16. Agency Report (AR), Tab 1, RFP at 1; AR, Tab 2, RFP, amend. 1 at 1; Combined Contracting Officer's Statement and Memorandum of Law at 2. The RFP contemplated the issuance of a fixed-price task order to be performed over a 1-year base period and two 1-year option periods. AR, Tab 1, RFP at 1. The selected contractor would be expected to provide IT operations infrastructure sustainment support services in multiple

areas, including database management and maintenance, standard workstation image, software license compliance management, and datacenter migration. AR, Tab 1, RFP, attach. 1, Performance Work Statement at 1.

The RFP provided for award on a best-value tradeoff basis considering technical, past performance, and price factors. AR, Tab 1, RFP at 5-10. The technical factor was divided into four subfactors: general management, administrative, and staffing (GMAS); IT operations and sustainment support (ITOSS); infrastructure planning and design (IPD); and, cybersecurity implementation (CI). Id. at 5-7. The non-price factors, when combined, were more important than price. Id. at 5.

Five offerors, including CWS and Ryan, submitted proposals prior to the January 24, 2019, closing date. AR, Tab 23, Price Negotiation Memorandum (PNM) at 2. The agency's evaluation produced the following relevant results:

	CWS	Ryan
Technical Subfactor (1) --GMAS	Green/Acceptable	Green/Acceptable
Technical Subfactor (2) --ITOSS	Green/Acceptable	Green/Acceptable
Technical Subfactor (3) --IPD	Green/Acceptable	Green/Acceptable
Technical Subfactor (4) --CI	Green/Acceptable	Purple/Good
Past Performance	Substantial Confidence	Satisfactory Confidence
Price	\$29,155,958	\$30,093,027

Id. at 6-7.¹ After comparing proposals, the source selection authority (SSA) determined that Ryan's proposal represented the best value. Id. at 8. The SSA concluded that Ryan's evaluated price was worth the additional premium based on advantages offered under the IPD and CI technical subfactors. The SSA found that these advantages would improve agency efficiency, reduce agency expenses, and provide enhanced cybersecurity functionality. Id. at 7. The SSA also concluded that CWS's higher past performance rating did not offer any additional advantage because Ryan's proposal likewise demonstrates a high likelihood of successful performance. Id.

On February 20, the agency issued a task order to Ryan, and notified CWS that its proposal was unsuccessful. AR, Tab 22, CWS Notice of Award. On February 25, the agency provided CWS with its post-award debriefing, which explained that CWS was

¹ For the technical ratings, the agency used a color/adjetival rating scheme with the following rating combinations: blue/outstanding, purple/good, green/acceptable, yellow/marginal, and red/unacceptable. AR, Tab 1, RFP, attach. 6, Evaluation Tables at 1.

rated green/acceptable for all subfactors, and that its proposal was evaluated as offering one strength under the ITOSS and another strength under the IPD subfactors. AR, Tab 24, CWS Post-Award Debrief at 1. In response, CWS provided the agency with a follow-up question, which provided, in relevant part:

CWS should have received a Purple rating, versus a Green rating, for both Subfactors. Please provide clarification as to why CWS was not awarded purple ratings for both Subfactor 2 and 3 considering we had one (1) strength in each Subfactor?

AR, Tab 25, CWS Debriefing Question. The agency answered the question by stating:

The description of a Purple rating in the evaluation tables stated, “Proposal indicates a thorough approach and understanding of the requirements and contains at least one strength, and risk of unsuccessful performance is low to moderate.” The description of a Green (Acceptable) rating in the evaluation tables states, “Proposal meets requirements and indicates an adequate approach and understanding of the requirements, and risk of unsuccessful performance is no worse than moderate.” For Subfactors 2 and 3, while each received 1 strength, the evaluation panel determined that the Offeror’s proposal demonstrated an adequate approach and understanding of the requirements and that risk of unsuccessful performance was no worse than moderate. As such, a Green (Acceptable) rating was given in accordance with the Solicitation’s Combined Technical/Risk Ratings evaluation table.

AR, Tab 26, Agency Response to CWS Debriefing Question (emphasis added). After receiving the agency’s answer, CWS filed the instant protest with our Office.²

DISCUSSION

CWS alleges that the agency unreasonably evaluated its proposal and improperly made its source selection decision. We have reviewed all of the protester’s allegations and find that none provides us with a basis to sustain the protest. We note, at the outset, that when reviewing protests of alleged improper evaluations and source selection decisions, it is not our role to reevaluate proposals; rather, we will examine the record to determine whether the agency’s judgment was reasonable and in accordance with the stated evaluation criteria and applicable procurement laws and regulations. Panacea Consulting, Inc., B-299307.4, B-298308.4, July 27, 2007, 2007 CPD ¶ 141 at 3.

² This protest is within our jurisdiction to hear protests of task orders placed under civilian agency multiple-award indefinite-delivery, indefinite-quantity contracts, and valued in excess of \$10 million. 41 U.S.C. § 4106(f)(1)(B); see also Alliant Solutions, LLC, B-415994, B-415994.2, May 14, 2018, 2018 CPD ¶ 173 at 4 n.8.

CWS primarily argues that the agency should have assigned it a purple rating under the ITOSS and IPD technical subfactors. In making its argument, CWS points out that the agency rated CWS's proposal as having a no worse than moderate risk of unsuccessful performance under those subfactors. Protest at 8. Based on those ratings, CWS argues that its evaluation fits the definition of a purple/good rating, not a green/acceptable rating. Id.

Our Bid Protest Regulations require that a protest include a detailed statement of the legal and factual grounds for the protest, and that the grounds stated be legally sufficient. 4 C.F.R. § 21.1(c)(4), (f). Here, the protester has not stated legally sufficient grounds of protest because the agency's evaluation determination that CWS's proposal offered an adequate approach and had a no worse than moderate risk of unsuccessful performance is consistent with the definition of a green/acceptable rating. See AR, Tab 1, RFP, attach. 6, Evaluation Tables at 1. Thus, the protest allegation does not demonstrate unreasonable agency action because the terms of the solicitation provided for the rating assigned based on the evaluation. To the extent CWS argues in its comments that it challenges the substance of the evaluation rather than the assigned adjectival rating,³ we note CWS has not identified any part of its proposal which was evaluated irrationally, not in accordance with the solicitation, or arbitrarily. See Comments at 2. Indeed, while CWS asserts that its proposal should have been evaluated as having a thorough technical approach, it has not provided us with any basis from which to conclude that the evaluation was improper. See id. Accordingly, we dismiss this allegation because it does not provide a valid basis for protest.

CWS also argues that the agency inadequately documented its evaluation. In this regard, our decisions provide that, in order for our Office to review evaluations meaningfully, the evaluation record must contain adequate documentation showing the bases for the evaluation conclusions. See Panacea Consulting, Inc., supra at 4; see also FAR § 16.505(b)(7).

Here, we find that the evaluation record was adequately documented. The final technical evaluation shows that the agency identified the specific components of CWS's proposal which met or exceeded the evaluation criteria. AR, Tab 15, CWS Final Technical Evaluation at 5-17. For example, when discussing the IPD technical subfactor, the agency noted that the solicitation required the contractor to demonstrate an ability to develop specific guidelines and operational planning for technology transitions, as well as sustainment and deployment of necessary upgrades for refreshes for older technology. Id. at 13. The agency then showed how CWS's proposal satisfied

³ In this regard, we note that our decisions provide that adjectival ratings, in and of themselves, are not outcome determinative; rather, an agency is required to look behind the assigned evaluation ratings in order to ascertain the true relative strengths and weaknesses of proposals. See, e.g., AlliantCorps. LLC, B-415744.5, B-415744.6, Nov. 23, 2018, 2018 CPD ¶ 399 at 7. Indeed, adjectival ratings are but guides to, and not substitutes, for intelligent decision making. Id.

this requirement by citing sections of its proposal stating [DELETED]. Additionally, the record shows that the agency considered CWS's technical expertise in providing datacenter transition services to be a substantial benefit because it decreases the likelihood of delays. Id. Thus, we find the evaluation record to be adequately documented because it provides us with a basis to understand the agency's conclusions (i.e., the agency identified portions of CWS's proposal which satisfied the evaluation criteria but ultimately did not conclude that they offered additional benefits). While CWS may disagree with the ratings and the conclusions, such disagreement does not demonstrate that the evaluation conclusions are lacking in detail. Accordingly, we deny this protest allegation.

Finally, CWS argues that the SSA improperly conducted a tradeoff analysis because the analysis did not provide specific reasons for finding Ryan's proposal to be a better value.⁴ Contrary to the protester's position, our decisions explain that there is no need for extensive documentation of every consideration factored into a tradeoff decision, but rather the documentation need only be sufficient to establish that the agency was aware of the relative merits and prices of the proposals. See New Orleans Support Servs. LLC, B-404914, June 21, 2011, 2011 CPD ¶ 146 at 7 (source selection decision need not provide a precise determination when concluding that a proposal's particular technical advantages are not worth the price premium); see also General Dynamics Information Tech., Inc., B-406030, B-406030.3, Jan. 25, 2012, 2012 CPD ¶ 55 at 6-7 n.4. Thus, because the record shows that the SSA considered the relative technical merit of the proposals and the proposed prices, we find that his tradeoff decision was reasonable. See AR, Tab 23, PNM at 8-10. In any event, we note that the SSA provided a specific reason (i.e., that Ryan's proposal was technically superior) and CWS has provided us with no basis to find that decision unreasonable. See id. at 8. Accordingly, we deny this protest allegation.

The protest is denied.

Thomas H. Armstrong
General Counsel

⁴ In its protest, CWS originally asserted that the SSA's tradeoff decision was unreasonable because it was based on a misvaluation of the protester's proposal with respect to the ITOSS and IPD technical subfactors. Protest at 8. This allegation is derivative of the challenges to the agency's evaluation. Thus, we dismiss this allegation because derivative allegations do not establish independent bases of protest. GCC Techs., LLC, B-416459.2, Nov. 19, 2018, 2018 CPD ¶ 394 at 8.