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Decision

Matter of: Peraton, Inc.

File: B-417088; B-417088.2

Date: February 6, 2019

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DIGEST

1. Protest challenging the agency's evaluation of protester's technical and management proposals is denied where the evaluation was reasonable and consistent with the stated evaluation criteria, and adequately documented.
 2. Protest alleging the agency's evaluation of offerors' technical proposals was unequal is denied where the protester's "double standard" assertions are not supported by the record.
 3. Protest asserting the agency improperly discounted the major technical weaknesses in the awardee's proposal while improperly magnifying the major technical weakness in the protester's proposal is denied where the evaluation in each instance was reasonable and consistent with the stated evaluation criteria, and was not to be based on a simple counting of the major weaknesses, as the protester suggests.
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DECISION

Peraton, Inc., of Herndon, Virginia, protests the award of a contract to AT&T Corp., of Oakton, Virginia, under request for proposals (RFP) No. NRO000-18-R-0049, issued by the Department of Defense, National Reconnaissance Office (NRO), for information technology (IT) network services as part of the agency's "Broadside" program. Peraton contends the agency's evaluation of offerors' proposals and resulting source selection decision were improper.

We deny the protest.

BACKGROUND

The NRO is a member of the U.S. intelligence community (IC) and an agency within the Department of Defense. <http://www.nro.gov/About-the-NRO/The-National-Reconnaissance-Office/Who-We-Are> (last visited Feb. 4, 2019). The mission of the NRO is to develop and operate overhead reconnaissance systems and conduct intelligence-related activities in furtherance of United States national security. Id. In addition to its headquarters in Chantilly, Virginia, the NRO maintains other locations [REDACTED]. Id.

The Broadside program represents NRO's effort to consolidate all or portions of [REDACTED] existing contracts that currently provide IT network services to the agency. Contracting Officer's Statement of Facts (COS), Nov. 28, 201[8], at 2. Under the present structure, the agency is responsible for the overall integration and management of its various network service efforts. Id. The goal of the Broadside consolidation effort is to make a single contractor accountable for the delivery of NRO's network services. Id. at 2-3. The Broadside program also contemplates a two-phased effort. First, in the initial transition, the contractor would assume responsibility for the current (i.e., "as is") state of the agency's networks from incumbent contractors and NRO personnel. Id. at 3. The Broadside contractor will then upgrade and modernize the network infrastructure to prepare for a second transition to the "objective architecture" and a managed service provider (MSP) model. Id.

The statement of work (SOW) for the Broadside program set forth a wide-ranging scope of effort. It includes "providing the necessary IT network services, across all classifications and security domains of NRO and [applicable] IC network[s], to deliver and operate the [NRO infrastructure service provider] (NISP) Network Domain across the [NRO information enterprise] (NIE)." ¹ SOW at 8-9; COS, Nov. 28, 201[8], at 3. The Broadside SOW was also organized into five functional service areas: (1) "Core" (i.e., foundational network services); (2) command and telemetry network (CTN); (3) network management; (4) access; and (5) campus area network/local area network (CAN/LAN). SOW at 11-12.

The RFP contemplated the award of a hybrid cost-plus-award-fee (CPAF)/firm-fixed-price award fee (FFP/AF)/cost-reimbursement contract for a base year with four 1-year options. ² RFP Model Contract at 2-10. In general terms, the Broadside contractor is to

¹ The SOW also detailed that the Broadside effort encompassed both classified (Secret and Top Secret) and unclassified capabilities across all of NRO. Agency Report (AR), Tab 1, RFP, SOW at 9.

² The RFP established that the first two performance periods, during which time the contractor would upgrade and modernize the existing NRO network infrastructure, were
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provide all personnel, services, travel, facilities, and materials necessary to perform the stated SOW requirements. Id. at 2.

The RFP established that contract award would be made on a best-value tradeoff basis, based on a complex, multi-layered set of evaluation criteria as follows: first, the solicitation established two “areas”--non-cost and cost/price--with the non-cost area being significantly more important than cost/price. RFP § M at 3. The non-cost area consisted of five “items” in descending order of importance: technical; management; past performance; organizational conflict of interest (OCI); and security. Id. at 4. The technical item was comprised of three “factors,” also in descending order of importance: technical approach; transition; and IT security. Id. The technical approach factor then consisted of five “standards” (i.e., the SOW functional service areas) in descending order of importance: Core, CTN, network management, access, and CAN/LAN. Id. at 6-7. The transition factor consisted of two standards of approximately equal importance: incoming transition (as-is phase), and MSP model transition (implementation phase). Id. at 7-8. The management item consisted of two factors of equal importance: program management and personnel qualifications. Id. at 4, 8-9. The program management factor consisted of three standards of approximately equal importance: program management approach; incoming transition; and MSP model transition.³ Id. at 8. Lastly, the RFP stated the agency’s evaluation would include an “overall proposal risk” assessment, based on both the non-cost and cost/price areas.⁴ Id.; COS, Nov. 28, 201[8], at 9.

AT&T and Peraton were among the offerors that submitted proposals by the RFP’s closing date. Agency evaluation panels (e.g., technical evaluation panel (TEP), management evaluation panel (MEP)) assessed offerors’ proposals using various adjectival rating schemes that were set forth in the RFP as follows: (1) exceptional, very good, good, satisfactory, marginal, and unsatisfactory for the technical and management items and factors; (2) high confidence, significant confidence, satisfactory confidence, neutral, little confidence, and no confidence for the past performance item; (3) high confidence, moderate to high confidence, moderate confidence, and low confidence for the OCI item; (4) high risk, moderate risk, and low risk for the security

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to be CPAF in type. The last three performance periods, during which the contractor would maintain the developed network architecture, were to be FFP/AF in type.

³ The past performance, OCI, and security items did not have component factors, but did consist of one or more standards. Id. at 9-14.

⁴ Overall proposal risk was to assess the probability of an offeror’s proposal to cause schedule disruption, cost growth, or performance issues that would impact the acquisition’s chances for success. Id. at 4, 16. The solicitation, however, failed to specify how overall proposal risk would be factored into the agency’s best-value (i.e., cost/non-cost tradeoff) determination.

item; and (5) high risk, moderate risk, and low risk for overall proposal risk criterion.⁵ RFP § M at 4-16. Offerors' cost/price proposals were evaluated, but not rated, for both reasonableness and realism. Id. at 15.

The final evaluation ratings and costs of the AT&T and Peraton proposals were as follows:

	AT&T	Peraton
Non-Cost		
Technical (Overall)	Satisfactory	Marginal
Technical Approach	Satisfactory	Marginal
Transition	Satisfactory	Satisfactory
IT Security	Good	Good
Management (Overall)	Satisfactory	Marginal
Program Management	Good	Marginal
Personnel Qualification	Satisfactory	Satisfactory
Past Performance	Satisfactory	Satisfactory
OCI Confidence	Moderate to High	Moderate to High
Security	Low	Low
Proposed Cost/Price (in millions)		
Evaluated Cost/Price (in millions)		
Overall Proposal Risk	Low	Moderate

AR, Tab 8c, Award Recommendation Briefing at 126, 301.

The agency evaluators also identified strengths and weaknesses--further characterized as "minor," "major," and "significant"--in support of the ratings assigned. For example, under the technical approach factor, the TEP found 12 minor strengths, 4 minor weaknesses, and 3 major weaknesses in AT&T's proposal; and 1 major strength, 8 minor strengths, 13 minor weaknesses, and 1 major weakness in Peraton's proposal. AR, Tab 8a, TEP Report (Peraton) at 4-13; Tab 10b, TEP Report (AT&T) at 1.

An agency source selection evaluation team (SSET) reviewed the evaluation panels' results, conducted an integrated assessment of evaluation findings, and recommended award to AT&T. AR, Tab 8d, SSET Report, at 1-21. The SSET found that AT&T's advantages under both the technical and management items, and overall proposal risk criterion, outweighed the associated cost/price premium. Id. at 21.

⁵ With regard to the technical and management items, a "satisfactory" rating meant the "[o]fferor's proposal demonstrates a satisfactory understanding of the requirements and the approach for achieving them. Strengths balance the weaknesses." RFP § M at 5. By contrast, a "marginal" rating meant the "[o]fferor's proposal demonstrates a marginal understanding of the requirements and the approach for achieving them. Weaknesses outbalance strengths." Id.

The agency source selection authority (SSA) thereafter received and reviewed the evaluation findings and recommendations. AR, Tab 8g, Source Selection Decision at 1. The SSA found AT&T's proposal demonstrated the best approach across both technical and management items, and was the only offeror with at least a satisfactory understanding of all Broadside requirements. Id. at 15. The SSA also concluded that AT&T's advantages under the technical and management items, and overall proposal risk, outweighed Peraton's cost advantage, and that AT&T's proposal represented the overall best value to the government. Id. at 16. The SSA, in support of his conclusion, held that "it is not advantageous to the Government to award a contract based on a proposal where weaknesses outweigh strengths across the two most important Non-Cost Items, even taking into account [Peraton's] offered cost/price advantage." Id.

After providing Peraton with notice of contract award, and a debriefing, this protest followed.

DISCUSSION

Peraton raises various challenges to the evaluation of proposals and resulting award decision. Peraton first alleges the agency's evaluation of its proposal under the technical approach factor and program management factor was improper. Protest, Oct. 29, 2018, at 4-18. The protester further asserts the evaluation of offerors' technical approach proposals was unequal and disparate.⁶ Protest, Dec. 3, 2018, at 4-9. Peraton also contends it was prejudiced by the alleged errors, asserting that had NRO performed a proper evaluation, it would not have found that AT&T possessed non-cost advantages which outweighed the protester's substantial cost/price advantage. Protest, Oct. 29, 2018, at 21. We have considered all of the protester's issues and arguments and, while we do not address them all, find no basis on which to sustain the protest.

Technical Approach Evaluation of Peraton

Peraton protests the agency's evaluation of its proposal under the technical approach factor. Specifically, the protester disputes the one major weakness, and certain minor weaknesses, assigned.

In reviewing a protest challenging the agency's evaluation of proposals, our Office will not reevaluate proposals nor substitute our judgment for that of the agency regarding a proposal's relative merits, as the evaluation of proposals is a matter within the agency's discretion. Del-Jen Educ. & Training Group/Fluor Fed. Solutions LLC, B-406897.3, May 28, 2014, 2014 CPD ¶ 166 at 8; FPM Remediations, Inc., B-407933.2, Apr. 22, 2013, 2013 CPD ¶ 107 at 3. Rather, we will review the record to determine whether the agency's evaluation was reasonable and consistent with the stated evaluation criteria

⁶ Peraton initially raised additional issues regarding NRO's evaluation of offerors' proposals, which the protester subsequently elected to withdraw. Peraton Comments, Jan. 9, 2019, at 17-18; Peraton Notice of Partial Withdrawal, Jan. 17, 2019.

and applicable procurement statutes and regulations, and adequately documented. Management Sys. Int'l, Inc., B-409415, B-409415.2, Apr. 2, 2014, 2014 CPD ¶ 117 at 5; Shumaker Trucking & Excavating Contractors, Inc., B-290732, Sept. 25, 2002, 2002 CPD ¶ 169 at 3. A protester's disagreement with the agency's evaluation judgments, without more, is insufficient to establish that an evaluation was improper or lacked a reasonable basis. Lanmark Tech., Inc., B-408892, Dec. 19, 2013, 2013 CPD ¶ 295 at 5.

As set forth above, the technical approach factor consisted of five standards, in descending order of importance, which corresponded to the functional service areas set forth in the SOW: (1) Core, (2) CTN, (3) network management, (4) access, and (5) CAN/LAN. RFP § M at 6. The RFP also detailed each evaluation standard. For example, with regard to the Core standard, the RFP stated:

The Standard is met when the Offeror's proposal presents a realistic and coherent approach for effectively delivering against all requirements in the SOW specific to CORE Functional Area A satisfactory proposal will describe a viable design, and repeatable processes[,] across the system and/or service lifecycle. The design and processes will address: engineering, integrating, testing, deploying, metrics collection, operating, and maintaining the networking systems and services identified in the SOW

Id.

The TEP identified 1 major strength, 8 minor strengths, 13 minor weaknesses, and 1 major weakness in Peraton's technical approach. AR, Tab 8a, TEP Report (Peraton) at 4-13. Moreover, the major weakness found in Peraton's technical proposal was a multi-faceted one that involved "insufficient details in numerous aspects of the Offeror's Core design and approach" as follows: (1) the offeror's design approach [REDACTED]

[REDACTED] introduces a security risk, and the offeror does not address how this risk will be mitigated or provide a potential mitigation plan; (2) the offeror mentions firewalls and their locations, but fails to provide adequate detail on resolving associated asymmetric routing issues; (3) the offeror does not adequately address how Secret data will be transported; (4) the offeror proposed a new [REDACTED] network, but does not discuss how it will be secured (i.e., encryption); (5) the offeror does not provide adequate detail to understand its domain name service and internet protocol address management architectures; and (6) the offeror does not include an adequate network topology design. Id. at 3, 5. The TEP concluded that Peraton's lack of detail in these areas "does not inspire confidence in their ability to meet requirements." Id. at 6.

Peraton Major Weakness (Core Standard)

Peraton first challenges the major weakness assigned to its technical approach proposal. The protester disputes the reasonableness of all six "sub-weaknesses"

[REDACTED]

[REDACTED]

[REDACTED]

COS, Nov. 28, 201[8], at 17-18.

[REDACTED]

The evaluators concluded that Peraton's lack of detail regarding the security risk of its proposed Core network design was clearly below standard.

We find the agency's evaluation of Peraton's Core design approach to be reasonable and consistent with the stated evaluation criteria.

[REDACTED]

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[REDACTED]

[REDACTED]

We find Peraton's arguments unavailing. [REDACTED]

Firewalls and Asymmetric Routing Issues

Peraton also disputes the evaluation finding that its proposal did not include adequate detail regarding asymmetric routing issues associated with firewalls. Protest, Oct. 29, 2018, at 7-8. Firewalls are security devices, consisting of both hardware and software components, that are designed to prevent unauthorized network access. COS, Nov. 28, 201[8], at 22. Asymmetric routing refers to a situation where the IT source and destination route the data using different paths ("dynamic routing"), which can result in connectivity and security issues that can impact network performance. Id. Network firewalls generally reject asymmetric routing, both inbound and outbound, based on an interface security scheme. Id. Additionally, "[p]oorly architected firewall designs contribute to asymmetric routing" issues. Id.

As set forth above, the Core evaluation standard required offerors to present a realistic and coherent approach for meeting all SOW requirements. RFP § M at 6. Additionally, the SOW stated that the contractor [REDACTED]

Peraton's proposal included a table of technical considerations for its Core design that stated, among other things, "[f]irewalls as a full-featured network component that

achieve awareness of all routes using [border gateway protocol] BGP⁹ AR, Tab 5, Peraton Proposal, Vol. I, Technical Proposal, at 2-6. Peraton's proposal contained no further details regarding its BGP-cognizant firewalls, and also contained no express mention of asymmetric routing issues.

The TEP found that Peraton's lack of detail here to be a weakness: "[t]he Offeror mentions firewalls and their locations, but fails to provide adequate detail on how they will resolve asymmetric routing issues associated with firewalls." AR, Tab 8a, TEP Report at 5. Additionally, the agency explains that although there are multiple approaches to preventing asymmetric routing using BGP-cognizant firewalls, not all will meet Broadside SOW requirements. COS, Nov. 28, 201[8], at 22. Accordingly, in the absence of any further detail, Peraton's proposal was assessed a weakness. See AR, Tab 8a, TEP Report at 5.

We find NRO's evaluation here--that Peraton's proposal lacked adequate detail on how it would resolve asymmetric routing issues associated with firewalls--was reasonable and consistent with the stated evaluation criteria. As a preliminary matter, Peraton does not dispute that its proposal did not specifically discuss asymmetric routing, nor that its proposal had but one reference to BGP-cognizant firewalls. Not only did the protester's proposal lack detail concerning its implementation of BGP and how that implementation will eliminate asymmetric routing, but the protester does not now provide meaningful arguments rebutting the agency's view that BGP's effectiveness in this regard is implementation-dependent. Rather, the protester essentially argues that the mere mention of BGP-cognizant firewalls is a talisman which automatically resolves all possible asymmetric routing issues. Accordingly, we have no basis to conclude that the agency's technical judgment here is unreasonable, and find that this argument amounts to nothing more than disagreement with the agency's judgment, which does not provide a basis on which to sustain the protest. See Lanmark Tech., Inc., supra.

Secret Data

Peraton disputes the evaluation finding that its proposal did not adequately address how Secret data will be transported. The protester contends that its [REDACTED] Core network solution accounts for and adequately protects all types of classified information, including Secret data. Protest, Oct. 29, 2018, at 10.

⁹ Border gateway protocol (BGP) is a standardized routing protocol designed to exchange routing information, and to automate the learning of routes by network devices such as routers, using an autonomous system method. As with other routing protocols, BGP essentially calculates the best route between devices by taking into consideration, among other things, data traffic. BGP can create asymmetric routing issues, as its ultimate goal is to choose the best available path. COS, Nov. 28, 201[8], at 22; see also <https://www.techopedia.com/definition/6193/border-gateway-protocol-bgp> (last visited Feb. 5, 2019).

As set forth above, the scope of the Broadside effort was to provide necessary IT network services, “across all classifications and security domains of NRO and [the] IC network.” The SOW also emphasized that the required “[s]ervices include classified (Top Secret and Secret) and Unclassified capabilities across all NRO.” SOW at 10. The agency explains that [w]hile the [Top Secret] and Secret domains are both considered classified ones, they have vastly different requirements ██████████ ██████████ COS, Nov. 28, 201[8], at 25.

The agency, when evaluating Peraton’s proposal, found the offeror “did not distinguish between or otherwise explain any differences in their approach to [Top Secret] and Secret network services.” Id. As Peraton failed to address how it would provide Secret network services, the TEP concluded the proposal did not demonstrate an adequate understanding of the agency’s classified domain requirements. Id.; AR, Tab 8a, TEP Report at 5.

We find the evaluation to be reasonable. The SOW stated that the network services would occur “across all classifications and security domains,” and Peraton’s proposal did not recognize or account for the differences between classified domains in its technical solution. While the protester now asserts that its ██████████ core architecture would transport both Secret and Top Secret data in the same manner--essentially a “one size fits all” approach to all classified information--even this blunt solution does not recognize the existence of different classified security domains. The evaluators were therefore reasonable to conclude that Peraton did not have an adequate understanding of the agency’s classified domain requirements.

Peraton does not dispute that its Core network solution did not mention or address the different security domains. The protester instead argues that no solicitation provision expressly required it to address the transportation of Secret (as compared to Top Secret) data. Peraton also contends that the agency’s concern here is a new one, and therefore, an improper post-hoc rationalization. Peraton Comments, Dec. 10, 2018, Classified Annex at 15. We find both assertions without merit.

First, the solicitation established the agency would evaluate an offeror’s ability to design an architecture that met all SOW requirements, which expressly included both Secret and Top Secret security domains. SOW at 10; RFP § M at 6. We find Peraton’s failure to recognize the existence of, and account for, the different classified domains to be an intrinsic aspect of the offeror’s ability to design a network architecture capable of meeting all SOW requirements. Second, in reviewing an agency’s evaluation, we do not limit our review to contemporaneous evidence, but consider all of the information provided, including the parties’ arguments and explanations. Sotera Def. Solutions, Inc., B-408587.2 et al., Mar. 20, 2014, 2014 CPD ¶ 103 at 6 n.2. While we generally give little weight to reevaluations and judgments prepared in the heat of the adversarial process, Boeing Sikorsky Aircraft Support, B-277263.2, B-277263.3, Sept. 29, 1997, 97-2 CPD ¶ 91 at 15, post-protest explanations that provide a detailed rationale for contemporaneous conclusions and simply fill in previously unrecorded details, will generally be considered in our review of the rationality of selection decisions where

those explanations are credible and consistent with the contemporaneous record. NWT, Inc.; ParmChem Labs., Inc., B-280988, B-280988.2, Dec. 17, 1998, 98-2 CPD ¶ 158 at 16. Here, we find the agency's "concern" was not a new one, but a clarification that was fully consistent with the contemporaneous evaluation record.

Peraton's Network Topology

Peraton disputes the evaluation finding that its proposal did not include an adequate network topology design. Protest, Oct. 29, 2018, at 9. Topology essentially refers to diagrams that are used, in addition to written narratives, to explain the internal organization, structure, and relationships in an IT network architecture. COS, Nov. 28, 201[8], at 24.

Peraton's proposal included three diagrams as part of its objective network architecture: "Core To-Be Architecture," [REDACTED] [REDACTED] [DELETED]." AR, Tab 5, Peraton Proposal, Vol. I, Technical Proposal, at 2-8 to 2-9. Peraton's "Core To-Be Architecture" topology included, among other things, images of walls on fire that were not connected to any other aspect of the offeror's proposed network architecture. Id. at 2-8. The agency found Peraton's diagrams, especially its "Core To-Be Architecture" diagram, "greatly oversimplifie[d] the NRO's network and [were] completely inadequate for purposes of assessing Peraton's proposal." COS, Nov. 28, 201[8], at 24 (emphasis omitted). The agency further explained that "[i]t was impossible to assess from the three diagrams provided . . . what infrastructure, capabilities, and interconnections exist at different locations. These details [were] required in order for the Government to assess Peraton's design and the offeror's understanding of the Core functional area requirements." Id.

We find the evaluation here to be reasonable. First, the record reflects that Peraton's diagrams were very high-level ones, and the agency evaluators could reasonably conclude that Peraton's topology did not demonstrate the offeror's understanding of the NRO network. Further, as the agency recognized, Peraton's "Core To-Be Architecture" diagram included "standalone graphic[s] of firewall[s]" that were essentially floating in space and not connected to any other aspect of Peraton's proposed network architecture. COS, Nov. 28, 201[8], at 24. Thus, the agency could reasonably find that Peraton's interconnections were impossible to assess when Peraton's network components, as set forth in its topology, were not always connected to each other.

Peraton argues the network topology diagrams it provided were "merely a pictorial view for a portion of Peraton's Technical proposal." Peraton Comments, Dec. 10, 2018, Classified Annex at 14. Peraton also contends that because the RFP had no specified format for network topology design, the agency's decision to assess the infrastructure, capabilities, and interconnections in an offeror's diagrams was improper. Id. at 13-14. We find the protester's arguments disingenuous and without merit. It is an offeror's responsibility to submit a well-written proposal, with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. ProActive, LLC, B-403545, Nov. 18, 2010,

2011 CPD ¶ 56 at 5. Here, Peraton elected to include network topology diagrams within its technical proposal order--to demonstrate its "to-be" architecture design and understanding of the SOW's Core requirements--and now faults the agency for considering the merits of the offeror's diagrams when they lacked adequate detail. Moreover, the fact that the RFP did not specify a topology format did not preclude the agency from, as here, reasonably assessing all aspects of Peraton's proposal. See Portage, Inc., B-410702, B-410702.4, Jan. 26, 2015, 2015 CPD ¶ 66 at 6.

Minor Technical Approach Weaknesses

Peraton also disputes four of the minor weakness assigned to its technical approach proposal. We have reviewed all of the protester's assertions and find the agency's evaluation in these areas to be reasonable.

Peraton first disputes the minor weakness assigned to its proposal regarding NRO "touch points" (i.e., contract performance interactions with the agency). As part of its service planning process, Peraton stated that it would conduct monthly service strategy sessions with government stakeholders. AR, Tab 5, Peraton Proposal, Vol. I, Technical Proposal, at 2-14. Specifically, "[o]ur service planning is informed by feedback from each of the Broadside Service Lifecycle components." Id. Peraton also included a diagram depicting monthly strategy sessions involving its chief architect, service management lead, and chief engineer with NRO communication systems directorate and IC customers. Id.

The TEP considered Peraton's understanding of NRO touch points to be a minor weakness. AR, Tab 8a, TEP Report (Peraton) at 6. The evaluators found that Peraton had the impression that it would be interfacing directly with NRO and IC customers to develop a service strategy. Id. However, the "[g]overnment's expectation is that all [such] coordination . . . [would] be managed by the Broadside Program Management Office" (PMO). Id. The TEP believed that Peraton's proposed approach could then lead to inconsistent government direction in implementing a coherent service strategy. Id.

Peraton disputes the assigned weakness. The protester asserts that: (1) the RFP did not require monthly strategy sessions like those proposed by Peraton be coordinated with the Broadside PMO; and (2) Peraton did not state, or even suggest, that the Broadside PMO would not play a role in its monthly strategy sessions. Protest, Oct. 29, 2018, at 18-19. Essentially, the protester simultaneously asserts that "I can do this" (i.e., hold service strategy meetings without the Broadside PMO's involvement), and "I never said I was going to do this" (i.e., hold service strategy meetings without the Broadside PMO's involvement).

We find the agency's evaluation was reasonable. As a preliminary matter, the agency's concern that Peraton's service strategy sessions without the Broadside PMO's involvement could lead to inconsistent direction is a valid one whether or not the PMO's involvement was mandated by the SOW. We also find no merit in Peraton's assertion

that the weakness was unwarranted unless the offeror expressly stated that the Broadside PMO would not be involved. Peraton's proposal, in both the written narrative and diagram, indicated no involvement of the Broadside PMO. We have consistently found that it is an offeror's responsibility to submit a well-written proposal. ProActive, LLC, B-403545, Nov. 18, 2010, 2011 CPD ¶ 56 at 5. Here, the agency could reasonably conclude, from a proposal that failed to indicate the Broadside PMO's involvement, that none was contemplated.

Peraton also challenges the minor weaknesses assigned to its proposal regarding equipment choices. Peraton, under the Core, access, and CAN/LAN standards, set forth its anticipated hardware, software, and service use choices. AR, Tab 5, Peraton Proposal, Vol. I, Technical Proposal, at 2-12, 2-40, 2-49. The TEP, in each instance, found Peraton's lack of rationale for its equipment choices to be a minor weakness. AR, Tab 8a, TEP Report (Peraton) at 7, 11-13. For example, with regard to the Core standard, the evaluators stated: "The Offeror chose to use specific Core Routing and Firewall equipment, but did not discuss the reason for making these decisions or even if other vendors were considered . . . [i]f the Offeror doesn't consider multiple vendors when developing their approach, it could stifle innovation and also result in higher costs to the Government." Id.

We find the evaluation here to be reasonable. Peraton's proposal set forth its hardware and software equipment, but provided no rationale (e.g., methodology, analysis of alternatives) regarding how it decided upon this particular equipment.¹⁰ Peraton again contends that because the RFP had no express requirement that offerors explain their equipment choices, the agency's consideration of such was improper. Protest, Oct. 29, 2018, at 18; Peraton Comments, Dec. 10, 2018, at 8-9. Although agencies are required to identify in a solicitation all major evaluation factors, they are not required to specifically identify each and every element an agency considers during an evaluation, provided that the unidentified elements are reasonably related to or encompassed by the stated factors. Federal Acquisition Regulation (FAR) § 15.304(d); Portage, Inc., supra, at 5-6 (finding the assessment of offerors' understanding of the broader programmatic application to be consistent with the stated technical approach evaluation criterion). Here, inasmuch as equipment was part of the offeror's technical approach to performing the stated requirements, the agency's consideration here was not an unstated evaluation criterion.

Program Management Evaluation of Peraton

Peraton also challenges the evaluation of its proposal under the program management factor. The protester contends that both major weaknesses assigned, as well as one of

¹⁰ The lack of alternatives considered for equipment choices stands in contrast to other aspects of Peraton's proposal where the offeror expressly analyzed alternatives (e.g., design alternatives (core)) and for which it received a strength. AR, Tab 5, Peraton Proposal, Vol. I, Technical Proposal, at 2-7; Tab 8a, TEP Report (Peraton) at 5.

the six minor weaknesses, were improper. In each instance Peraton argues the information which the agency found lacking in its proposal was not required by the solicitation. Protest, Oct. 29, 2018, at 10-13, 20; Peraton Comments, Dec. 10, 2018, at 3-5. As detailed below, we find no basis on which to sustain the protest.

Property Management

Peraton challenges the major weakness assigned to its program management proposal regarding property management. The protester alleges the agency's finding that its proposal lacked adequate detail in this area was inconsistent with the solicitation.

The RFP instructed offerors to "describe a Program Management (PM) approach to effectively manage the cost, schedule, performance, and risk for the overall contract." RFP § L at 14. The solicitation also stated that "[t]he Offeror must document its overall PM approach in a Program Management Plan (PMP) ([contract data requirements list] CDRL A005) that is tailored to Broadside requirements and deliverables." Id.

The solicitation established the agency's program management evaluation would be "based on [the offeror's] ability to address the management processes for successfully managing and completing the work contained in the Broadside SOW" RFP § M at 8. Further, the program management approach standard (within the program management factor) "is met when the Offeror's proposed PMP (CDRL A005) provides an approach to successfully manage the cost, schedule, performance, and risk for the scope of the Broadside contract" Id. The solicitation also detailed the information to be included in each CDRL and, with regard to CDRL A005, the program management plan expressly included property management. RFP § J.3, CDRLs, at 13.

Peraton submitted its program management proposal, detailing its management responsibilities, processes, and tools for the Broadside effort. AR, Tab 5b, Peraton Proposal, Vol. II, Management Proposal, at 2-7. The TEP determined Peraton's proposal lacked sufficient detail as to property management, and was clearly below standard, because it did not address "processes for property storage and sparing plans, supply chain management, shipping, movement, receipt, verification, or physical inventory" AR, Tab 8b, MEP Report, at 8. The evaluators also found that while Peraton's proposal listed various tools for property management, it did not provide adequate details about how these tools will be used to support Broadside property management. Id.

We find the agency's evaluation, here, to be reasonable and consistent with the stated evaluation criterion. An offeror has the responsibility to submit a well-written proposal, with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. ProActive, LLC, B-403545, Nov. 18, 2010, 2011 CPD ¶ 56 at 5. An offeror that does not affirmatively demonstrate the merits of its proposal risks rejection of its proposal or risks that its proposal will be evaluated unfavorably where it fails to do so. Johnson Controls, Inc., B-407337, Nov. 20, 2012, 2012 CPD ¶ 323 at 3. Here, the RFP required offerors

to demonstrate an approach for effective management of the overall contract, and also established that offerors would be evaluated on their ability to successfully manage all aspects of the Broadside property requirements. Peraton's program management proposal contained very little, if any, detail regarding its property management, and the agency reasonably found this to be a major weakness in the offeror's management approach.

Peraton does not dispute that property management is generally an aspect of overall program management, as evidenced by the offeror's proposal itself. See AR, Tab 5b, Peraton Proposal, Vol. II, Management Proposal, at 2-10 (showing property management to be an aspect of program management). Rather, the protester refers to SOW § 3.1, "Program Management," in support of its position that property management was not required to be addressed as part its program management submission here. The agency in turn points to SOW § 3.0, "Broadside Program Management Requirements," which includes property management as part of overall contract management. We need not resolve, however, the parties' dueling interpretations of the SOW. The solicitation expressly stated the agency's evaluation would involve assessment of the offeror's program management plan (i.e., CDRL A005), and CDRL A005 expressly made property management an element of program management. RFP §§ M at 8; J.3 (CDRLs) at 13. We therefore find the agency's evaluation to be reasonable and consistent with the solicitation.

Incoming Transition Plan

Peraton also challenges the second major weakness assigned to its program management proposal. Specifically, with regard to the incoming transition standard, the protester contends it was improper for the agency to find that Peraton's incoming transition plan (ITP) lacked sufficient detail. Protest, Oct. 29, 2018, at 11-12; Peraton Comments, Dec. 10, 2018, at 4-5.

The RFP instructed offerors to submit an ITP that "demonstrates an effective schedule, staffing plan, and management process for coordinating and communicating with the incumbent contractor(s) to successfully complete knowledge/workload/data transfer and assume the roles and responsibilities of the services identified in the SOW . . ." RFP § L at 14. The solicitation also established the agency would evaluate the effectiveness of the offeror's proposed ITP. RFP § M at 8.

Peraton's proposal included its ITP, which set forth a "five-phased transition approach" that included a schedule for overall transition and a timeline with tasks, definitions, methods, and tools for each phase. AR, Tab 5a, Peraton Proposal, Vol. I, Technical Proposal, at 3-3.¹¹ The MEP determined Peraton's ITP lacked sufficient detail: while Peraton had proposed a multi-phase approach, the execution of the proposed approach

¹¹ The RFP established that an offeror's ITP would be evaluated as part of both the technical and management items.

failed to take into account the fact that the transition would occur at different locations, each with its own unique starting point of equipment, personnel, and legacy IT systems. AR, Tab 8b, MEP Report (Peraton) at 7; COS, Nov. 28, 201[8], at 32. The evaluators concluded that Peraton's failure to recognize and address the separate locations in its ITP "does not inspire Government confidence" that the offeror had thought through the complexity of executing the incoming transition, and enhanced overall proposal risk. AR, Tab 8b, MEP Report (Peraton), at 7; see also AR, Tab 8c, Award Recommendation Briefing at 339; COS, Nov. 28, 201[8], at 31-32.

Peraton does not dispute that its ITP did not address the different transition locations. Rather, the protester contends the RFP provisions did not expressly require an offeror's ITP to address each separate location, and should have done so, if that was what the agency had wanted. Peraton Comments, Dec. 10, 2018, at 4-5. Peraton essentially argues that the agency again employed an unstated evaluation criterion by considering here whether an offeror had addressed individual locations as part of its ITP approach.

The agency maintains the evaluation of Peraton's ITP--including consideration of different locations at which transition would occur--was consistent with the RFP's stated evaluation criteria. Memorandum of Law (MOL), Nov. 28, 2018, at 17-18. Further, both NRO and AT&T contend that Peraton's protest is based on a "piecemeal presentation" of arguments and should be dismissed as untimely: specifically, Peraton was told of the reasons for the assigned ITP weakness as part of its debriefing on October 26, 2018, but did not raise this argument until the filing of its comments on the agency report on December 10. NRO Dismissal Request, Jan. 18, 2019, at 2; AT&T Dismissal Request, Jan. 18, 2019, at 1-3. We agree.

As a general matter, protests of other than alleged solicitation improprieties must be filed within 10 calendar days of when the protester knew or should have known of its bases for protest. 4 C.F.R. § 21.2(a)(2). Where a protester initially files a timely protest, and later supplements it with new grounds of protest, the later-raised allegations must independently satisfy our timeliness requirements. Planning & Dev. Collaborative Int'l, B-299041, Jan. 24, 2007, 2007 CPD ¶ 28 at 11. Additionally, our Bid Protest Regulations do not contemplate the piecemeal presentation or development of protest issues through later submissions citing examples or providing alternate or more specific legal arguments missing from earlier general allegations of impropriety. Vigor Shipyards, Inc., B-409635, June 5, 2014, 2014 CPD ¶ 170 at 5; Metasoft, LLC--Recon., B-402800.2, Feb. 17, 2011, 2011 CPD ¶ 47 at 3. Our Office will also dismiss a protester's piecemeal presentation of arguments that could have been raised earlier in the protest process. Metasoft, LLC--Recon., *supra*; Alfa Consult S.A., B-298288, B-298164.2, Aug. 3, 2006, 2006 CPD ¶ 127 at 3.

After Peraton's receipt of debriefing slides on October 23--which included each identified strength and weakness in its proposal--the following "question and answer" (Q&A) occurred on October 26:

Q: The government assessed that our ITP lacks sufficient detail as to our five-phased approach to transition all Broadside service areas. Can the government further explain what particular phase or portion of our approach was deemed to lack sufficient detail . . . ?

A: The Offeror's ITP proposed an enterprise[-]wide five-phased approach to transition where the services within a phase may vary greatly across [NRO] sites. Sites differ in complexity, geography, previous NRO experience of contractors performing the work, the Offeror's presence/amount of incumbency for that service at each site, and institutional knowledge of how network services are currently provided. . . .

Protest, Oct. 29, 2018, exh. 2, Peraton Debriefing Q&As, Oct. 26, 2018, at 4.

The record therefore reflects that Peraton knew of the exact reason for the assigned ITP weakness on October 26, but did not raise the argument that NRO's consideration of different transition locations was improper until December 10. We also find no logic in Peraton's assertion that the Q&A here somehow "did not provide Peraton [with] notice that the Agency believed that detail was lacking because Peraton's ITP did not address each location." Peraton Reply to Dismissal Request, Jan. 18, 2019, at 1-2. Because the protester did not present its argument earlier in the protest process, even though it could have done so, we find Peraton's argument here to be untimely, and it is therefore dismissed.¹² See Vigor Shipyards, Inc., supra.

We also find Peraton's challenge of one minor management approach weakness assigned--its procurement process--to be without merit. The RFP established that the Broadside program management requirements included, among other things, the contractor's procurement methodology. [REDACTED]

¹² In any event, we also find no merit in Peraton's assertion that the agency employed an unstated evaluation criterion (because the ITP standard did not expressly mention transition locations). As stated above, although agencies are required to identify in a solicitation all major evaluation factors, they are not required to specifically identify each and every element an agency considers during an evaluation, provided that the unidentified elements are reasonably related to or encompassed by the stated factors. FAR § 15.304(d); Portage, Inc., supra; AT&T Corp., B-299542.3, B-299542.4, Nov. 16, 2007, 2008 CPD ¶ 65 at 18. Here, NRO's decision to take into account the different locations at which transition would occur was logically encompassed within the stated incoming transition standard (and thus, program management factor). There is simply no requirement that the RFP expressly state every element which may be considered in an evaluation for it to be proper.

██████ The MEP reasonably found Peraton’s proposal to be conclusory statements that did not describe an actual procurement process, and thereby permit evaluation. AR, Tab 8b, MEP Report, at 6; COS, Nov. 28, 201[8], at 42-44. The evaluators also reasonably concluded that the inability to determine whether Peraton was using an efficient and cost-effective process posed cost and schedule risks. AR, Tab 8b, MEP Report, at 6. Lastly, as an offeror’s procurement process is logically encompassed by the RFP’s program management approach standard (i.e., an offeror’s “approach to successfully manage the cost, schedule, performance, and risk . . . of the Broadside contract,” RFP § M at 8), we find the agency did not apply an unstated evaluation criterion as part of its evaluation here.

In sum, we find the challenged weaknesses under the program management factor in Peraton’s proposal to be reasonable and consistent with the stated evaluation criteria or otherwise untimely. Further, Peraton does not dispute the other minor weaknesses assigned. We therefore find the agency’s determination that Peraton’s weaknesses “outbalanced” strengths, and the resulting “marginal” rating, to be reasonable.

Alleged Unequal and Disparate Evaluation

Peraton contends the evaluation of offerors’ proposals was unequal and disparate. The protester first argues the agency employed a “double standard” when assigning strengths and weaknesses to the technical approach proposals of AT&T and Peraton. Peraton also alleges that NRO improperly discounted the major weaknesses in AT&T’s technical proposal while improperly magnifying the significance of Peraton’s one major technical weakness. Lastly, Peraton contends the agency improperly failed to identify Peraton’s CTN approach as a technical discriminator in the protester’s favor. Protest, Dec. 3, 2018, at 4-8; Peraton Comments, Dec. 21, 2018, at 12-26.

Alleged Double Standard

Peraton contends the agency employed a double standard with assigning strengths and weaknesses to the AT&T and Peraton proposals. Peraton Comments, Dec. 21, 2018, at 13-22. The protester contends, for example, that the agency assigned Peraton three minor technical approach weaknesses for an alleged lack of detail relating to its equipment choices while ignoring the same weaknesses in AT&T’s proposal. Id. at 16.

It is a fundamental principle of federal procurement law that a contracting agency must treat all offerors equally and evaluate their proposals evenhandedly against the solicitation’s requirements and evaluation criteria. Cubic Applications, Inc., B-411305, B-411305.2, July 9, 2015, 2015 CPD ¶ 218; Rockwell Elec. Commerce Corp., B-286201 et al., Dec. 14, 2000, 2001 CPD ¶ 65 at 5. Where a protester alleges unequal treatment in a technical evaluation, it must show that the differences in rating did not stem from differences between the offerors’ proposals. Raytheon Co., Space & Airborne Sys., B-411631, Sept. 16, 2015, 2015 CPD ¶ 361 at 8. In our view, Peraton’s disparate treatment argument is premised on an improper “apples and oranges” comparison of

the offerors' proposals. See AMTIS-Advantage, LLC, B-411623, B-411623.2, Sept. 16, 2015, 2015 CPD ¶ 360 at 6.

As discussed above, Peraton's proposal set forth its equipment choices but contained no details about how Peraton had selected its equipment (i.e., methodology), the benefits of the equipment chosen, or any analysis of alternatives. AR, Tab 5, Peraton Proposal, Vol. I, Technical Proposal at 2-12, 2-40, 2-49. The agency evaluators reasonably found Peraton's lack of equipment choice detail to be a weakness under various technical approach standards. AR, Tab 8a, TEP Report (Peraton) at 8.

AT&T, in its technical proposal, described its "[DELETED]" approach that would guide, among other things, product evaluation (i.e., equipment selection). AR, Tab 10a, AT&T Proposal, Vol. I, Technical Proposal, at 2-5. AT&T also described how its [DELETED] methodology would impact its equipment choices with respect to the Core standard: "[DELETED] . . ." Id. at 2-35. Lastly, AT&T's proposal also described the benefits associated with its selected equipment. See, e.g., id. at 2-14 to 2-15.

The record here does not support Peraton's argument that NRO evaluated offerors unfairly. As discussed above, the TEP reasonably evaluated Peraton's equipment choices and found the Peraton proposal's lack of detail to be minor weaknesses. Likewise, the record indicates that the TEP reasonably evaluated AT&T's equipment choices and concluded that those choices met the RFP's standards. While the differences between offerors' proposal in this regard are not stark ones, the proposals are not exact, or identical, as Peraton argues. Although AT&T, like Peraton, may not have discussed equipment alternatives, the awardee did more than state what its proposed equipment would be without any explanation, as Peraton did. AT&T also discussed why it had chosen its equipment by explaining the benefits. In sum, the TEP analyzed the proposals against the solicitation's requirements, and the fact that the agency evaluators reached different conclusions regarding the proposals' relative merits does not establish that the agency's evaluation employed a double standard.

In any event, the record also reflects that the evaluation of offerors' equipment choices, including the minor weaknesses assigned to Peraton's technical approach in this regard, played no part in the agency's award determination. The SSET, as part of its award recommendation, did not find offerors' equipment choices to be a technical discriminator; there is no mention of Peraton's weaknesses, or AT&T's lack of weaknesses, as a technical discriminator at either the standard or factor level. AR, Tab 8d, SSET Report. Likewise, the evaluation results briefing does not mention offerors' equipment choices to be a technical discriminator. AR, Tab 8c, Award Recommendation Briefing. Most importantly, the SSA did not consider equipment choices to be an AT&T technical advantage or rely upon this evaluated difference in his cost/technical tradeoff decision. AR, Tab 8g, Source Selection Decision. Quite simply, Peraton's protest here focuses on weaknesses that the agency did not when making its best-value tradeoff determination and award selection decision.

Agency's Treatment of Major Evaluation Weaknesses

Peraton also contends the treatment of the major weaknesses within offerors' technical proposals was unequal. Protest, Dec. 3, 2018, at 4-8. The protester alleges the agency improperly discounted AT&T's major weaknesses while unreasonably magnifying the significance of Peraton's one major weakness.¹³ *Id.* at 2, 22-24. Peraton also maintains that NRO used an "unarticulated standard" when evaluating the severity of the major weaknesses assigned to the offerors' proposals. Peraton Comments, Jan. 9, 2018, at 10-12.

As set forth above, the TEP identified strengths and weaknesses--further characterized as minor, major, and significant ones--as part of its evaluation of offerors' proposals. With regard to the technical approach factors, the evaluation results of the AT&T and Peraton proposals can be summarized as follows:

	Major Strengths	Minor Strengths	Minor Weaknesses	Major Weaknesses	Rating
AT&T	0	12	4	3	Satisfactory
Peraton	1	8	13	1	Marginal

AR, Tab 8c, Award Recommendation Briefing at 133, 308.

The record reflects that the TEP, when assessing the relative balance of each offeror's strengths and weaknesses, considered the specific nature of the findings. For example, for each of the major weaknesses assigned to AT&T's technical approach, the agency evaluators found the awardee had failed to provide adequate detail to understand the offeror's design. AR, Tab 10b, TEP Report (AT&T) at 9-10, 15-16. By contrast, with regard to the major weakness assigned to Peraton's technical approach, the TEP found not only that Peraton's design for the Core functional area lacked detail, but also that Peraton's approach introduced a security risk, and that Peraton failed to address how the risk would be mitigated or provide a potential mitigation plan if its technical approach was not approved by the NRO Security office. AR, Tab 8a, TEP Report (Peraton) at 5; Tab 8c, Award Recommendation Briefing at 311; Tab 8d, SSET Report at 15, 18.

The record also shows the evaluators considered the relative weights of the technical approach standards under which offerors' strengths and weaknesses were assigned, as

¹³ In a related argument, the protester asserts the agency failed to account for (*i.e.*, explain in its award decision) why AT&T's major technical approach weaknesses were less significant than Peraton's single major weakness under this evaluation factor. Peraton Comments, Dec. 21, 2018, at 22.

they were not of equal importance.¹⁴ See AR, Tab 8c, Award Recommendation Briefing at 131. The SSA, as part of his source selection decision, likewise considered the nature, number, and relative importance of all the evaluation findings when concluding that AT&T's technical approach strengths balanced its weaknesses, while Peraton's did not. AR, Tab 8g, Source Selection Decision, at 3-6.

Our Office has found that an agency's evaluation is not to be based upon a mathematical counting of strengths and weaknesses, but rather, deciding what those strengths and weaknesses represent, in terms of qualitative assessments regarding the relative merits of the competing proposals. SRA Int'l, Inc., B-407709.5, B-407709.6, Dec. 3, 2013, 2013 CDP ¶ 281 at 12; see Smiths Detection, Inc.; American Sci. & Eng'g, Inc., B-402168.4 et al., Feb. 9, 2011, 2011 CPD ¶ 39 at 14. It is an agency's qualitative findings in connection with its evaluation of proposals that govern the reasonableness of an agency's assessment of offerors' proposals. Walton Constr.-a CORE Co., LLC, B-407621, B-407621.2, Jan. 10, 2013, 2013 CPD ¶ 29 at 9; Archer W. Contractors, Ltd., B-403227, B-403227.2, Oct. 1, 2010, 2010 CPD ¶ 262 at 5.

We find Peraton's argument of unequal treatment here to be both misplaced and without merit. The protester engages in a mathematical counting of one sub-component of the agency's evaluation findings (i.e., major weaknesses), and argues, essentially, that "three is bigger than one." As a preliminary matter, Peraton ignores the fact that all major weaknesses were not equal to each other, given the relative importance of the technical approach standards against which they were assessed. Further, the record reflects the agency reasonably considered what each assigned strength and weakness represented, in terms of a qualitative assessment of the competing proposals.¹⁵ See The Boeing Co., B-311344 et al., June 18, 2008, 2008 CPD ¶ 114 at 32; Kellogg Brown & Root Servs., Inc., B-298694.7, June 22, 2007, 2007 CPD ¶ 124 at 5.

Lastly, while Peraton would prefer to focus on only the number of major weaknesses assigned, the RFP established that the evaluation was to be based on a comprehensive assessment of all strengths and weaknesses (major and minor) in each offeror's proposal. In sum, Peraton's argument here of unequal treatment of major weaknesses has no basis and is wholly unpersuasive; there was simply no requirement, as Peraton argues, for NRO to perform a comparative assessment of only offerors' major weaknesses when the technical approach evaluation was not based on only the major weaknesses assigned.

¹⁴ Two of AT&T's major weaknesses were under the two least important technical approach standards--access and CAN/LAN. AR, Tab 10b, TEP Report (AT&T) at 1.

¹⁵ Likewise, while Peraton argues NRO used an "unarticulated standard" when assessing the severity of the offerors' major weaknesses, Peraton Comments, Jan. 9, 2019, at 2, the agency's standard was to properly consider what each identified weakness represented.

Peraton's CTN Approach as a Discriminator

Lastly, Peraton contends the SSA improperly failed to recognize the protester's technical advantage over AT&T under the CTN standard (the second of the five technical approach standards). Peraton Comments, Dec. 21, 2018, at 24-26.

The record reflects, with regard to the CTN standard, the TEP identified three minor strengths and no weaknesses in Peraton's technical approach proposal.¹⁶ Id. By contrast, the agency evaluators found one minor strength and one minor weakness in AT&T's proposal under the CTN standard.¹⁷ Id. The SSET, as part of its comparative assessment, found the CTN services standard was not a significant discriminator between the offerors' proposals. AR, Tab 8d, SSET Report, at 19. Thereafter the SSA, as part of his award decision, found that "The CTN Services Standard was not a discriminator; all of the Offerors demonstrated a satisfactory understanding of CTN requirements." AR, Tab 8g, Source Selection Decision, at 13.

Peraton argues that the SSA's conclusion was both inconsistent with the lower-level evaluators' findings, and failed to acknowledge Peraton's superior CTN solution as compared with AT&T. Peraton Comments, Dec. 21, 2018, at 25. The agency argues the evaluators and SSA considered what the offerors' strengths here represented and not just the number of strengths assigned. MOL, Jan. 4, 2019, at 18-20. Lastly, AT&T argues there is no requirement that a SSA restate every evaluation factor in a tradeoff determination, and nothing unreasonable about a decision not to discuss evaluation factors that did not amount to discriminators between the offerors' proposals. AT&T Comments, Jan. 9, 2019, at 7, citing Remington Arms Co., Inc., B-297374, B-297374.2, Jan. 12, 2006, 2006 CPD ¶ 32 at 16. We find, however, that Peraton has not demonstrated that it was prejudiced by the alleged error.

Competitive prejudice is an essential element of a viable protest; where the protester fails to demonstrate that, but for the agency's actions, it would have had a substantial chance of receiving the award, there is no basis for finding prejudice, and our Office will not sustain the protest. Engility Corp., B-413120.3 et al., Feb. 14, 2017, 2017 CPD ¶ 70 at 17; Lockheed Martin Integrated Sys., Inc., B-408134.3, B-408134.5, July 3, 2013, 2013 CPD ¶ 169 at 8; see Statistica, Inc. v. Christopher, 102 F.3d 1577 (Fed. Cir. 1996).

¹⁶ Peraton's strengths concerned the offeror's experience and understanding of the requirements and challenges for the CTN functional area. AR, Tab 8a, TEP Report (Peraton) at 7-8.

¹⁷ The strength in AT&T's proposal was based on three recommendations by the awardee which were each found to enhance the CTN network. AR, Tab 10b, TEP Report (AT&T) at 10-11.

Here, even if the agency improperly failed to recognize Peraton's apparent advantage under the CTN standard, the fact remains that AT&T was found to be technically superior to Peraton under the most-important Core standard, including a significant difference in security risk with regard to Core network requirements. Likewise, the alleged error does not alter the fact that Peraton remains lower rated than AT&T under both the technical approach factor ("marginal" as compared to "satisfactory") and the overall technical item ("marginal" as compared to "satisfactory"). The alleged error is also without impact to Peraton's evaluation ratings under the management item and the overall proposal risk criterion, which the SSA found were additional non-cost/price advantages possessed by AT&T. In sum, even if Peraton's alleged advantage under the CTN standard had been recognized, the record reflects that the SSA would still have found AT&T remained technically superior to Peraton overall, and the best value. See Engility Corp., supra.

Based on our review of the record and the arguments raised by the protester, we find no basis to question the agency's evaluation of offerors' proposals.

The protest is denied.

Thomas H. Armstrong
General Counsel