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# Decision

**Matter of:** Council for Logistics Research, Inc.

**File:** B-417974

**Date:** December 4, 2019

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James A. Hughes, Esq., Hughes Law, PLC, and Roger V. Abbott, Esq., Mayer Brown LLP, for the protester.

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Kyle E. Gilbertson, Esq., and Alexis J. Bernstein, Esq., Department of the Air Force, for the agency.

Evan D. Wesser, Esq., and Edward Goldstein, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

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## DIGEST

Protest challenging the agency's evaluation of proposals is denied where the evaluation was reasonable and in accordance with the solicitation's evaluation criteria.

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## DECISION

Council for Logistics Research, Inc. (CLR), a small business, of Arlington, Virginia, protests the award of a contract to Flatter, Inc., a small business, of Fredericksburg, Virginia, under request for proposals (RFP) No. FA7014-19-R-A004, which was issued by the Department of the Air Force, for services in support of the Air Force Senior Leadership Development Program (AFSLDP). CLR challenges the agency's evaluation of its proposal, and the agency's resulting source selection decision.

We deny the protest.

## BACKGROUND

The RFP, which was issued on April 29, 2019, and subsequently amended five times, sought proposals for a full range of technical, functional, and managerial expertise to support continual development, sustainment, enhancement, and facilitation of the

AFSLDP by providing analysis, expertise, and guidance to enhance the Air Force's force development program and senior leader training. RFP at 6.<sup>1</sup> The contractor will provide professional support services to assist with: the development of plans and policy; courses and training (including commercial off-the-shelf courses, computer based training, and instructor-led custom courses); and administration, management of the leadership portfolio, meeting facilitation, and program oversight. Id. The RFP was issued as a negotiated commercial item procurement pursuant to Federal Acquisition Regulation parts 12 and 15, and as a set-aside for service-disabled veteran-owned small businesses. Id. at 1, 6. The RFP contemplated the award of an indefinite-delivery, indefinite-quantity contract with fixed-price and time-and-material contract line items and a 5-year ordering period. Id. at 3-6.

Award was to be made on a best-value tradeoff basis, considering three evaluation factors: (1) technical approach; (2) past performance; and (3) price. RFP, attach., Evaluation Criteria, at 1. The non-price factors, when combined, were to be significantly more important than price. Id. Additionally, prior to evaluating proposals under the three evaluation criteria, the Air Force was to perform an initial acceptability evaluation under certain "gateway to oral presentations" criteria. Id. at 1-3. Only the agency's evaluation of proposals under the technical approach evaluation factor is relevant to the issues presented in the protest.

As to an offeror's technical approach, the RFP included two technical scenarios, both of which included: a problem statement; desired outcomes; planning inputs; and enumerated items that offerors were required to address (e.g., the method for identifying target competencies and/or skills to develop with the proposed solution, and target course length).<sup>2</sup> Id. at 3-5. The RFP instructed that presentations would be strictly limited to one hour, and offerors could provide a maximum of 35 supporting presentation slides. RFP, attach., Instructions to Offerors, at 2, 5. The RFP further directed that presentations should walk through a development process, from problem solution, integration, and implementation/release, and the Air Force would evaluate the offeror's understanding of the technical concepts and requirements of the AFSLDP.

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<sup>1</sup> References herein are to the conformed version of the RFP produced by the agency in its report. Also, references herein to page numbers are to the Bates numbering provided by the agency.

<sup>2</sup> Scenario 1, titled "Data Analytics and Decision Making," sought a solution to prepare and develop executive level leaders to operate more fluently with big data and leverage the insights that data analytics can offer to make better informed enterprise decisions. Scenario 2, titled "Cross-Domain Executive Leadership," sought a solution to prepare and develop executive level leaders to effectively lead in a changed security environment where success in a conflict depends on harnessing the vast amount of information generated by joint and allied sensors, fusing it quickly into decision-quality information, and creating effects simultaneously from any domain or component from anywhere in the world. RFP, attach., Evaluation Criteria, at 3-5.

RFP, attach., Evaluation Criteria, at 3. Relevant here, the RFP defined an “outstanding” technical approach as one indicating an exceptional approach and understanding of the requirements and containing multiple strengths, and low risk of unsuccessful performance. Id. at 5. A “good” technical approach was defined as one indicating a thorough approach and understanding of the requirements and containing at least one strength, and low to moderate risk of unsuccessful performance. Id.

The Air Force received six proposals in response to the RFP, including from CLR and Flatter; all six offerors were found acceptable following the gateway to oral presentations evaluation, and were further evaluated. AR, Tab 11, Source Selection Decision, at 10. Flatter and CLR were respectively evaluated as offering the two highest-ranked proposals, and were evaluated as follows:

	<b>Technical Approach</b>	<b>Past Performance</b>	<b>Price</b>
<b>Flatter</b>	Outstanding	Relevant/ Substantial Confidence	\$39,559,613
<b>CLR</b>	Good	Very Relevant/ Substantial Confidence	\$56,812,925

Id. at 22 (prices rounded to nearest dollar).

The Source Selection Authority determined that Flatter’s proposal offered the best value to the government in light of its outstanding technical rating, substantial confidence past performance assessment, and fair and reasonable price. Id. Following a debriefing, CLR filed this protest with our Office.

## DISCUSSION

CLR challenges the agency’s evaluation of its proposal as warranting only a “good” rating under the technical approach factor, and, as a result of this allegedly flawed underlying evaluation, argues that the source selection decision was unreasonable. With respect to CLR’s technical approach, the Air Force assessed multiple strengths for both scenarios, and found that CLR’s approach to scenario 1 demonstrated an outstanding understanding of the requirements, and a clear plan for developing and delivering the requested courses to the appropriate audience. AR, Tab 10, Source Selection Evaluation Board Final Report, at 11.

The evaluators, however, found CLR’s approach to scenario 2 to be “not as strong, especially in general understanding of the Governmental needs and translation of those needs to competencies and curriculum.” Id. (noting, among other issues, the “absence of a concrete proposal to link scenario courses to existing portfolio courses to deliver a more comprehensive training program with courses building upon prior coursework, education, and experience”). The evaluators were concerned that this lack of concrete detail “may be indicative of an approach which would require the Government to be very proscriptive in terms of course development versus the desired level of innovation and

proposed content generated by [CLR] to identify competency gaps and develop training to fill those gaps without detailed instructions from the Government.” Id. at 11-12. On balance, the agency concluded that CLR’s overall technical approach warranted a good rating.

CLR primarily asserts that the agency’s evaluation under the technical approach factor was unreasonable because the evaluators failed to reasonably consider relevant information included in CLR’s past performance volume (Part II, Volume II of CLR’s proposal). See, e.g., CLR Comments at 2 (“The SSEB failed to notice or consider the detailed description of the technical approach CLR uses to conduct the [AFSLDP] that is described in CLR’s proposal, in Part II, Volume II.”); id. at 14 (“There was no effort made in the source selection to reconcile or explain the inconsistency between the evaluation of CLR’s one-hour presentation and the knowledge possessed by the Air Force and presented in detail in Part II, Volume II of the proposal.”). We find no merit to CLR’s argument that the Air Force was required to consult CLR’s past performance volume--addressing its performance of the incumbent requirements--when evaluating the merits of CLR’s technical proposal.

Agencies are not required to piece together general statements and disparate parts of a protester’s proposal to determine the protester’s intent. Enterprise Servs., LLC, et al., B-415368.2 et al., Jan. 4, 2018, 2018 CPD ¶ 44 at 7; Alares, LLC, B-407124, Nov. 7, 2012, 2012 CPD ¶ 316 at 4. Rather, 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, and an offeror runs the risk that the agency will, as here, unfavorably evaluate its proposal where it fails to do so. Enterprise Servs., LLC, et al., supra. Here, the RFP established that an offeror’s technical approach would be evaluated based on its one hour oral presentation, and the accompanying presentation slides. Nothing in the solicitation suggested that CLR could supplement its oral presentation and presentation slides with information contained in another proposal volume submitted in response to another evaluation factor.<sup>3</sup>

Additionally, the Air Force was not compelled to consider CLR’s discussion of its incumbent past performance in its past performance volume as a substitute for its failure to adequately address its technical approach to performing the RFP’s requirements on the resulting contract. We have recognized that successful past

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<sup>3</sup> To the extent CLR argues that the one hour oral presentation and accompanying slides were insufficient for offerors to adequately address the technical scenarios, its contentions constitute untimely challenges to the terms of the solicitation, which CLR did not raise prior to the time set for receipt of proposals. 4 C.F.R. § 21.2(a)(1); People, Tech. & Processes, LLC, B-417208, Mar. 21, 2019, 2019 CPD ¶ 113 at 9 n.15; Main Sail, LLC, B-412138, B-412138.2, Jan. 29, 2016, 2016 CPD ¶ 26 at 6; Federal Acquisition Servs. Alliant Joint Venture, B-411842.2, Nov. 9, 2015, 2015 CPD ¶ 364 at 3-4 n.2.

performance as the incumbent contractor is not a substitute for an adequately written proposal addressing all of the solicitation's requirements. Adino Inc., B-412144, Dec. 24, 2015, 2016 CPD ¶ 7 at 6; SPAAN Tech, Inc., B-400406, B-400406.2, Oct. 28, 2008, 2009 CPD ¶ 46 at 7. In this regard, CLR's past performance was evaluated under another evaluation factor, which was assessed as very relevant and warranting a substantial confidence rating, including credit for its performance on the incumbent contract.

In sum, CLR has not shown that the agency's evaluation of its proposal was unreasonable or inconsistent with the RFP, and the protester's disagreement with the agency's judgment does not establish that the agency acted unreasonably. Alares, LLC, supra. As we find no basis to disturb the agency's underlying evaluation findings, we find no basis to question the reasonableness of the agency's source selection decision finding that Flatter's higher technical rating and substantially lower price offered the best value to the government as compared to CLR's proposal.

The protest is denied.

Thomas H. Armstrong  
General Counsel