U.S. GOVERNMENT ACCOUNTABILITY OFFICE

Comptroller General
of the United States

Decision

Matter of: Perspecta Enterprise Solutions, LLC

File: B-416377.6; B-416377.7

Date: April 2, 2020

Daniel R. Forman, Esq., James G. Peyster, Esq., Nkechi A. Kanu, Esq., and Tyler Brown, Esq., Crowell & Moring LLP, for the protester.
Christopher Radcliffe, Esq., and Andrew Baker, Esq., Department of Justice, for the agency.
Alexander O. Levine, Esq., and Jennifer D. Westfall-McGrail, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest challenging agency's technical evaluation of awardees' and protester's proposals is denied where, notwithstanding apparent errors, the protester failed to demonstrate competitive prejudice.

DECISION

Perspecta Enterprise Solutions, LLC, of Herndon, Virginia, protests the award of five indefinite-delivery, indefinite-quantity (IDIQ) contracts under request for proposals (RFP) No. DJJP-17-RFP-1022, issued by the Department of Justice (DOJ) for information technology support services.[1] The protester argues that the agency conducted an unreasonable and unequal technical evaluation, and that DOJ's resulting best-value tradeoff was flawed.

We deny the protest.

---

[1] The five awardees are: Ace Info Solutions, Inc. (AceInfo); Booz Allen Hamilton (BAH); CACI, Inc.-Federal (CACI); SRA International, A CSRA Inc. Company (SRA); and NTT Data Federal Services (NTT). While the parties use the term CSRA to refer to SRA, our decision refers to the firm as SRA to be consistent with our decision in MetroStar Systems Inc., B-416377.5, B-416377.8, April 2, 2020.

BACKGROUND

On February 22, 2017, DOJ issued the RFP, seeking contractor assistance in support of the agency's Information Technology Support Services-5 (ITSS-5) program. The base period of performance will be from the date of award through September 30, 2022; the solicitation also contains a 5-year option period. Agency Report (AR), Tab 1, RFP, at 0033.[2] The agency anticipated award of approximately 15 contracts, six on an unrestricted basis and nine to service-disabled veteran-owned small businesses; this protest concerns the award of contracts on an unrestricted basis. Id. at 0091.

The solicitation set forth two phases of proposal evaluation. In phase one, the agency would evaluate technical and price proposals for the IDIQ contract. The evaluation of this phase consisted of five technical subfactors: corporate experience, past performance, architectural attributes experience, management, and mandatory technical certifications. Id. at 0076.[3]

The solicitation contemplated that the most highly rated offerors after phase one would be selected to submit a proposal for phase two. In phase two, proposals would include responses to two sample task order scenarios and would also address the offeror's technical proficiency. Id. at 0092. Each sample task order response was of equal importance, and each was significantly more important than the technical proficiency factor. Id. at 0090-0091. DOJ reserved the right to award either or both task orders to the offeror whose proposal provided the best value to the agency.

The first sample task order sought services in support of both the Executive Office for United States Attorneys' (EOUSA) Case Management Enterprise System (CMES) and related applications supported by EOUSA's case management staff. AR, Tab 5.1, Sample Task Order One Performance Work Statement (PWS), at 1149. The PWS anticipated that the evaluation of the task order would consider three subfactors: technical approach, team, and corporate experience. Id. at 1167. Technical approach was significantly more important than team, which, in turn, was "somewhat more important" than corporate experience. Id.

For the technical approach subfactor, the PWS contemplated the evaluation of each offeror's technical approach, transition plan, and quality control plan. Id. For the team subfactor, the agency would evaluate offerors' proposed plans for managing their

---

[2] DOJ used a Bates numbering system in preparing the agency's report. Citations to the AR in this decision refer to the Bates numbers assigned by the agency.

[3] The mandatory technical certifications subfactor was evaluated as either achieved or not achieved and the remaining phase one subfactors were evaluated for relative merit. The ratings used to evaluate these subfactors were: excellent, very good, satisfactory, marginal and poor. See AR, Tab 2, Evaluation and Selection Plan, at 1004-1006. These same ratings were also used for the phase two subfactors. See id. at 0996.

team's performance to complete the PWS tasks successfully. Id. For corporate experience, the agency would assess the extent and relevance of each offeror's work experience in performing services similar in size, scope, and complexity to the PWS requirements, with an emphasis on those services performed for federal government customers. Id.

Sample task order two sought information technology services in support of DOJ's Office of the Chief Information Officer (OCIO) Service Delivery Staff (SDS). For the evaluation of this factor, the agency employed three subfactors: (1) technical approach, (2) staffing and key personnel, and (3) corporate experience. Contracting Officer's Statement/Memorandum of Law (COS/MOL) at 6.

The solicitation anticipated that DOJ would award contracts to those offerors whose proposals were determined to be the most advantageous, with technical merit being significantly more important than price. RFP at 0093. The RFP anticipated that the agency's best-value tradeoff would consider each offeror's overall technical rating for phase one and its overall technical rating for phase two, with the phase two rating considerably more important than the phase one rating. Id. at 0091.

Perspecta submitted a timely proposal under the procurement's unrestricted track. DOJ selected 14 offerors to proceed to phase two, including Perspecta and the five eventual awardees. On March 28, 2019, all 14 offerors timely submitted phase two proposals. COS/MOL at 5. As relevant here, the agency evaluated Perspecta and the five awardees as follows:

	Perspecta	AceInfo	NTT	BAH	SRA	CACI
Phase 1 Technical Rating	**Very Good**	**Very Good**	**Very Good**	**Very Good**	**Excellent**	**Very Good**
Sample Task Order 1	**Satisfactory**	**Very Good**	**Very Good**	**Very Good**	**Excellent**	**Very Good**
Technical Approach	Satisfactory	Very Good	Very Good	Excellent	Excellent	Very Good
Team	Satisfactory	Satisfactory	Very Good	Satisfactory	Excellent	Very Good
Corporate Experience	Satisfactory	Very Good	Satisfactory	Very Good	Very Good	Very Good
Sample Task Order 2	**Satisfactory**	**Satisfactory**	**Very Good**	**Very Good**	**Very Good**	**Very Good**
Technical Approach	Satisfactory	Satisfactory	Very Good	Very Good	Very Good	Very Good
Staffing & Key Personnel	Marginal	Satisfactory	Excellent	Very Good	Very Good	Very Good
Corporate Experience	Satisfactory	Very Good	Very Good	Satisfactory	Very Good	Very Good
Technical Proficiency	**Satisfactory**	**Very Good**	**Satisfactory**	**Very Good**	**Very Good**	**Very Good**
Combined Technical Phase 2	**Satisfactory**	**Very Good**	**Very Good**	**Very Good**	**Very Good**	**Very Good**
Overall Technical (Combined Phase 1&2)	**Satisfactory**	**Very Good**	**Very Good**	**Very Good**	**Very Good**	**Very Good**
Total Evaluated Price	**$260.2 million**	**$215.7 million**	**$216.5 million**	**$238.3 million**	**$185.2 million**	**$178.8 million**

AR, Tab 13.11, Phase Two Best-Value Recommendation Report, at 3310-3311; AR, Tab 13.1, Sample Task Order One Technical Evaluation Report, at 3095-3096; AR, Tab 13.2, Sample Task Order Two Technical Evaluation Report, at 3186.

As the above chart reflects, relative to the eventual awardees, Perspecta received lower or equal scores in every phase two subfactor, received a lower overall rating, and proposed a higher price.

On December 19, the agency awarded contracts to the five highest rated offerors: AceInfo, NTT, BAH, SRA, and CACI.

This protest followed.

DISCUSSION

Perspecta argues that the agency's evaluation of offerors' responses to the two sample task orders applied unstated criteria, reflected disparate treatment, and was materially flawed. We have reviewed the protester's arguments, and, with the exception of the arguments discussed below, find them to be without merit. While we found errors in the agency's evaluation, we conclude that these errors did not result in competitive prejudice to Perspecta. Accordingly, we deny the protest.[4]

Sample Task Order One

Under sample task order one, the evaluators assigned Perspecta's proposal three major strengths, six major weaknesses, and one minor weakness. See AR, Tab 13.1, Sample Task Order One Technical Evaluation Report, at 3169-3173. Perspecta challenges a number of the weaknesses. We address the protester's meritorious arguments, as well as some representative examples of its non-meritorious challenges, below. We discuss prejudice in the final section of our decision.

The protester argues that DOJ unreasonably found a weakness in Perspecta's technical approach due to a lack of detail addressing and resolving security vulnerabilities. In this respect, the agency assigned a major weakness because Perspecta's proposal "did not provide many details on how they would handle the volume of servers CMES has and the ongoing amount of likely security vulnerabilities that will arise each month." AR, Tab 13.1, Sample Task Order One Technical Evaluation Report, at 3171. The evaluation report further noted, "[a]utomation of patch deployment and testing is likely needed in order to resolve vulnerabilities within a reasonable maintenance downtime." Id. The protester argues that this weakness did not fairly reflect the contents of its proposal, which, in fact, "detailed how Perspecta planned to 'handle' security vulnerabilities in accordance with the PWS cybersecurity requirements." Comments at 17.

In response, the agency contends that while Perspecta's proposal discussed using various automation tools to monitor security vulnerabilities, it did not "explain how it would automate the remediation of (i.e. 'how it would handle') security vulnerabilities, including automated patch deployment." COS/MOL at 19. The protester discounts this explanation as an unsupported post hoc rationalization that relies on the use of unstated evaluation criteria, because "[t]here is nothing in the RFP or any other solicitation document that directed offerors to identify the exact tools that it planned to use in accomplishing PWS requirements." Comments at 17.

The evaluation of technical proposals is a matter within the agency's discretion. Acquisition Servs. Corp., B-409570.2, June 18, 2014, 2014 CPD ¶ 197 at 7. In

---

[4] While our decision does not address in detail every argument raised by the protester, we have reviewed each issue and, with the exception of those arguments discussed herein, do not find any merit to these arguments.

reviewing an agency's evaluation, we will not reevaluate technical proposals, but instead will examine the agency's evaluation to ensure that it was reasonable and consistent with the solicitation's stated evaluation criteria and with procurement statutes and regulations. Technology & Telecomms. Consultants, Inc., B-415029, Oct. 16, 2017, 2017 CPD ¶ 320 at 3. While agencies are not permitted to use unstated evaluation factors in evaluating quotations, an agency properly may take into account specific matters that are logically encompassed by, or related to, the stated evaluation criteria, even when they are not expressly identified as evaluation criteria. Camber Corp., B-413505, Nov. 10, 2016, 2016 CPD ¶ 350 at 5.

Here, we find that the agency's assessment was logically encompassed by the stated evaluation criteria. In this respect, for the evaluation of each sample task order response, the RFP anticipated that the agency would use the evaluation criteria specified in the description of the sample task order requirements. RFP at 0092. For the first task order's technical approach factor, the PWS contemplated the evaluation of each offeror's proposed approach to performing and managing the PWS requirements. AR, Tab 5.1, Sample Task Order One PWS, at 1167. The PWS noted that the agency was particularly interested in "the [offeror's] methodologies, practices, and competencies in the areas of system availability; cybersecurity compliance; applications design, development and maintenance; customer support and the overall degree to which the technical approach will ensure successful accomplishment of all [PWS] requirements." Id. Thus, the criteria placed special emphasis on assessing the methodologies used to ensure system availability and cybersecurity compliance.

The PWS also made clear that the remediation of system and database vulnerabilities was an important part of the compliance requirements for this sample task order. For instance, performance objective CP-4 required the implementation of vulnerability patch requirements. Id. at 1153. Performance objective CP-5 required that "[s]ystem and database vulnerabilities [be] remediated within established timeframes based on the category of the vulnerability." Id. Under performance objective CP-6, these vulnerability assessments and remediations were to be managed so as to eliminate the impact on system availability. Id. Given these evaluation criteria and performance objectives, we find that the weakness at issue, which was assessed for the protester's failure to describe sufficiently its methodology for automating the remediation of security vulnerabilities, was logically encompassed by the stated evaluation criteria.

The protester also contends that the agency's rationale in support of this weakness is a post hoc rationalization that should not be credited. We disagree. Our Office has stated that post-protest explanations that provide a detailed rationale for contemporaneous conclusions, and 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. APlus Techs., Inc., B-408551.3, Dec. 23, 2013, 2014 CPD ¶ 12 at 10 n.11. Here, we find the agency's explanation to be credible in light of the above PWS requirements and consistent with the contemporaneous evaluation record.

The protester also challenges the assessment of a minor weakness under the team subfactor as unreasonable and the result of disparate treatment. In this regard, the PWS required offerors to provide skill levels, education levels, and qualifications for each labor category position. AR, Tab 5.1, Sample Task Order One PWS, at 1167. The agency assessed a weakness in Perspecta's proposal for not meeting this requirement, finding that the proposal "did not clearly state the required skill levels, education levels, and qualifications associated with each proposed labor category for non-key personnel." AR, Tab 13.1, Sample Task Order One Technical Evaluation Report, at 3172. The protester argues that it did specify this information in its proposal, in a table and accompanying addendum, and that this weakness reflects disparate treatment because other offerors' proposals provided a comparable level of detail but did not receive a similar weakness.

In support of the weakness, the agency contends that Perspecta's proposal was ambiguous because it did not clearly state that the information provided in the table applied to labor category positions instead of individual personnel. The agency contends that this led its evaluators to believe that the table only applied to individual personnel (rather than to labor category positions). DOJ therefore considered the addendum to be the only place in Perspecta's proposal addressing the position requirements. The addendum, however, only provided a portion of the required labor category information.

The agency argues that its confusion was reasonable because the table appeared to apply only to individuals. In support of this interpretation, the agency noted that the table (1) listed experience levels that were higher than the PWS minimum requirements, (2) listed the same labor category twice but with differences in each entry, and (3) listed certifications and qualifications that seemed to mirror individuals' credentials.

We have reviewed the table at issue and find the agency's purported confusion to be unreasonable. In this regard, we note that the title of the table is "Labor Categories" and the table entries are listed by labor category rather than by specific individual. AR, Tab 11.2, Perspecta Sample Task Order One Proposal, at 2925-2926. The table lists the number of full-time equivalents per labor category as well as the education, certification, and years of experience applicable to each labor category. Id. In addition, while the information is split in two parts, with Perspecta providing a portion of the labor category information in a separate addendum, the proposal explains the purpose of the addendum, i.e., to "provide[] more detailed information on each role and its responsibilities." Id. at 2926. We note too that the information provided by Perspecta in its table was largely similar to tables provided by other offerors. See, e.g., AR, Tab 8.2, CACI Sample Task Order One Proposal, at 2366-2367. Accordingly, we find the agency's basis for this weakness to be unreasonable.

The protester also argues that the agency treated its proposal unequally by assigning it a major weakness under the technical approach subfactor for proposing a 60-day transition period, while failing to assess any weaknesses relating to BAH's transition plan. In this respect, the solicitation required each offeror to propose a 30-day transition

plan. See AR, Tab 1.10, Sample Task Order One PWS, at 0198. BAH did propose a 30-day transition plan along with a four-person transition team to implement that plan. However, BAH's proposal listed the availability of three of these four personnel, including the program manager, as "[w]ithin 60 [d]ays of [c]ontract [a]ward." AR, Tab 7.2, BAH Sample Task Order One Proposal, at 2189, 2191, & 2193. The protester contends that the agency unreasonably ignored the risk to BAH's 30-day transition timeline arising from the potential unavailability of these personnel during the 30-day time period.

In response to this protest argument, the agency notes that it did find a weakness in BAH's proposal, under the team subfactor, due to the program manager's potential unavailability. The agency also concedes that it should have assessed additional weaknesses, under the team subfactor, for the potential unavailability of the other two transition team members. While we agree with these assessments, we conclude that the agency should also have assessed another weakness, under the technical approach subfactor, for the risk posed to BAH's transition plan.

In this respect, the above minor weaknesses do not encapsulate, or effectively address, the risk to BAH's transition timeline from the potential unavailability of three of the four people proposed for BAH's transition team. This risk is significant, however, because BAH's proposal relied upon the above three personnel to carry out significant portions of BAH's transition plan.[5] Accordingly, the absence of these key personnel could lead to substantial delays in BAH's proposed timeline. Instead of considering this risk, however, the agency assessed a major strength for BAH's transition plan, which DOJ concluded "has a high likelihood of success to ensure no disruption or degradation of service." AR, Tab 13.1, Sample Task Order One Technical Evaluation Report, at 3142. We find the agency's failure to consider the risk posed to BAH's transition plan to be unreasonable.[6]

---

[5] For example, BAH proposed that the program manager have responsibility over "all staffing efforts during the transition," including staffing efforts taking place within 24 hours of contract award. Id. at 2175 & 2178.

[6] Similar to the argument above, the protester argues that the agency disparately evaluated Perspecta's proposal by assigning it a major weakness for its proposed operations manager's lack of experience with Redhat and VMWare, which are two components of CMES. The protester argues that the weakness was inconsistent with the agency's failure to assign similar weaknesses to the awardees' proposals for the same or similar shortcomings. In response, the agency provided persuasive explanations regarding why the proposals of AceInfo, BAH, and SRA were not comparable to the protester's with regard to this issue. The agency conceded, however, that it should have assigned a major weakness to CACI's proposal under the team subfactor since CACI's proposed operations manager lacked relevant experience with either Unix-based operating systems or virtualized environments. COS/MOL at 17. The agency also failed to dispute the protester's assertion that NTT's

(continued...)

Task Order Two

Under task order two, the protester challenges the agency's assessment of a number of weaknesses, arguing that the agency's evaluation improperly relied on unstated criteria, overlooked information in Perspecta's proposal, and treated Perspecta unequally by evaluating its proposal more stringently than it evaluated the awardees' proposals. We discuss several representative arguments, including those that we find to have merit, below.

Perspecta challenges a weakness assessed under the staffing and key personnel subfactor for the experience of Perspecta's proposed operations task lead. The agency assigned the protester's proposal nine strengths and eight weaknesses. See AR, Tab 13.2, Sample Task Order Two Technical Evaluation Report, at 3253-3256. In particular, DOJ assigned a weakness because:

> The proposed [o]perations [t]ask [l]ead does not list experience with running an [o]perations [t]eam deploying and maintaining [commercial off-the-shelf (COTS)], [government off-the-shelf (GOTS)] and custom applications. Nor does the proposed resource provide expertise in the technologies and environments [the Application Technical Services (ATS) team[7]] currently supports: Windows, SQL Server, and Oracle.

AR, Tab 13.2, Sample Task Order Two Technical Evaluation Report, at 3255

The protester argues that expertise in Windows, SQL Server, and Oracle were not part of the solicitation's requirements. In addition, Perspecta notes that three of the awardees also proposed operations task leads that lacked such expertise.

The agency contends that the lack of experience with Windows, SQL Server, and Oracle was a secondary issue and DOJ's main concern was that the proposed operations task lead "failed to demonstrate any experience whatsoever leading an operations team deploying and maintaining applications of any kind." COS/MOL at 12. Perspecta discounts this explanation as a post hoc rationalization that, at any rate, relies on unstated evaluation criteria. The protester also argues that this rationale relies on "extremely fine distinctions" and evinces a level of scrutiny not applied to other awardees such as NTT. Comments at 13.

---

proposal warranted a similar weakness. See Supplemental Protest at 5. Based on our review of the record, we see no basis to dispute the argument that both CACI's and NTT's proposals warranted additional major weaknesses due to this lack of experience.

[7] ATS is one of the teams within the DOJ's OCIO SDS being supported under this sample task order. See AR, Tab 5.3, Sample Task Order Two Statement of Work (SOW), at 1912.

Based on our review of the record, we find that the agency evaluated proposals equally and in accordance with the solicitation's evaluation criteria. As an initial matter, we find that the agency's post-protest explanation provides a detailed rationale for the agency's contemporaneous conclusions, and is consistent with the contemporaneous evaluation record. We therefore find the explanation credible. See APlus Techs., Inc., supra.

In addition, we find the agency's explanation to be consistent with the evaluation criteria. In this regard, the SOW explained that, under the staffing and key personnel subfactor, the agency would evaluate:

> the degree to which the staffing and key personnel proposed will ensure successful completion of the SOW requirements considering the proposed qualifications, experience, and certifications of the labor mix to be used to accomplish the SOW requirements, and the degree to which the proposed key personnel possess the qualifications and experience necessary to successfully execute and manage the work.

AR, Tab 5.3, Sample Task Order Two SOW, at 1951. For the operations task lead, the SOW noted that the proposed individual would, among other obligations, be responsible for supporting "Windows and Linux based environments for GOT[S], COTS, custom and mobile applications," and would perform "[o]perations [m]anagement oversight of application and database physical, virtual and cloud infrastructure." Id. at 1930.

In addition, within this sample task order, the operations task lead was assigned to task two, a task designated for providing contractor support to the ATS team. The SOW's description of these support activities included numerous maintenance and deployment activities, for example, "[s]upport[ing] [m]obile application environments, enhanc[ing], maintain[ing], and deploy[ing] mobile application solutions on iOS and Android platforms." Id. at 1918. In light of these requirements, we find that DOJ reasonably considered whether Perspecta's proposed operations task lead had relevant experience supervising the maintenance and deployment of applications. Accordingly, we find that the agency did not rely on unstated criteria in assessing a weakness for Perspecta's proposal of a candidate without such experience.[8]

The protester also argues that the agency unreasonably and unequally assessed a weakness in Perspecta's proposal under the staffing and key personnel subfactor. In this respect, the agency found a weakness because the "[p]roposed candidate for [the]

---

[8] We also find that the agency did not evaluate proposals unequally with regard to the operations team lead's experience. For example, unlike Perspecta, the record shows that NTT proposed an operations task lead with demonstrated leadership experience developing and maintaining applications, including on a DOJ project and on a project for the National Oceanic and Atmospheric Administration. See AR, Tab 10.5, NTT Sample Task Order Two Proposal, at 2840-2841.

[w]eb [s]oftware [d]eveloper and 508 [c]ompliance [position[9]] lacks Drupal experience, which is required in the SOW."[10] AR, Tab 13.2, Sample Task Order Two Evaluation, at 3256. The protester contends that nothing in the SOW or the RFP indicated that Drupal experience was uniquely significant, or that a lack of Drupal experience would warrant the assignment of a weakness. For example, the position description did not specifically list Drupal expertise as a requirement as the SOW did for other positions. Perspecta further notes that both CACI and SRA proposed candidates for this position whose resumes did not list Drupal experience, yet neither offeror was assigned a weakness.

In response, the agency contends that Drupal experience was logically encompassed by the stated evaluation criteria. The agency notes that the SOW provided that the web software designer/508 compliance position would be responsible for "[d]esign[ing], develop[ing], operat[ing] and maintain[ing] static and dynamic web sites and applications for multiple internet and intranet sites with demonstrated expertise in using languages and tools, including those listed in the section 3 – Scope of Work." AR, Tab 5.3, Sample Task Order Two SOW, at 1936. The scope of work, in turn, mentions Drupal among the technologies used in performing the relevant task. See, e.g., id. at 1914. The agency also argues that it did not evaluate Perspecta unequally because the candidates proposed by SRA and CACI had "significant experience in web development and related tools that demonstrated their ability to design, develop, operate, and maintain DOJ's internet and intranet websites (including Drupal sites)." COS/MOL at 9.

Based on our review, we find the agency's explanation for its disparate treatment to be unpersuasive. While experience with Drupal is, at least somewhat, related to the evaluation criteria, the agency has not adequately explained why it did not assess a similar weakness in SRA's and CACI's proposals, which also proposed web software designers that lacked Drupal experience. Although the agency argues that this was because these individuals had "significant" web development experience, COS/MOL at 9, there is no support within the contemporaneous evaluation record for this conclusion. Instead, both offerors received "meets"--rather than strengths--for their web developer candidates with DOJ merely noting that each has experience in web development, but not indicating that such experience was significant in any way. AR, Tab 13.2, Sample Task Order Two Technical Evaluation, at 3214 & 3225. In contrast, where a proposed web software developer did have extensive web development

---

[9] Among other responsibilities, this position is tasked with ensuring sites and content are compliant with section 508 of the Rehabilitation Act of 1973. AR, Tab 5.3, Sample Task Order Two SOW, at 1936. That act, as amended, requires federal agencies to ensure that their electronic and information technology (EIT) provides comparable access to people with and without disabilities whenever an agency develops, procures, maintains, or uses EIT. Visual Connections, LLC, B-407625, Dec. 31, 2012, 2013 CPD ¶ 18 at 1.

[10] Drupal is a free and open source content management framework commonly used in websites around the world. COS/MOL at 8 n.6.

experience, the agency noted that fact and assigned a strength. See id. at 3231 (assigning strength to offeror's proposed web developer based on extensive experience relevant to the SOW requirements).

We note too that the weakness assigned to Perspecta's proposal did not mention that web development inexperience was a contributing factor in the assessment of the weakness. In contrast, for other positions, the agency did note where a lack of web development experience was a contributing factor. See, e.g., id. at 3255 (assessing a weakness where Perspecta's proposed senior technical lead lacked "demonstrable experience [in] web development as required by the SOW," and noting that "[t]he proposed resource also lacks Drupal experience"). In sum, we find that the agency has not adequately explained its disparate treatment of offerors' proposals because the explanation provided by the agency is inconsistent with the contemporaneous evaluation record.

PREJUDICE

While we found errors in DOJ's evaluation, we conclude that these errors did not competitively prejudice Perspecta. Our Office will not sustain a protest unless the protester demonstrates a reasonable possibility that it was prejudiced by the agency's actions, that is, unless the protester demonstrates that, but for the agency's actions, it would have had a substantial chance of receiving the award. Raytheon Co., B-409651, B-409651.2, July 9, 2014, 2014 CPD ¶ 207 at 17.

In particular, we see no basis to conclude that correcting the errors discussed above would have resulted in Perspecta's higher-priced proposal being evaluated as technically superior to the proposal of any of the five awardees. While it appears that correction of these errors could have resulted in the addition of weaknesses to the evaluations of the proposals submitted by BAH, NTT, SRA, and CACI, and the subtraction of weaknesses from the evaluation of Perspecta's proposal, it does not appear that these changes would have affected the overall rating or standing of any offeror. Perspecta's proposal would have remained lower-, or equal-, rated in every phase two factor and subfactor, and would have remained lower-rated overall.[11]

For example, BAH's proposal was assigned 13 major strengths, four minor strengths, and two minor weaknesses under sample task order one. Thus, even assuming that consistent with our discussion above pertaining to BAH's proposed transition plan, BAH's proposal should have been assigned additional weaknesses (and one less major

---

[11] We note that Perspecta would also have remained lower-rated, under the phase two factors, than at least two other unsuccessful offerors. See AR, Tab 13.11, Phase Two Best-Value Recommendation Report, at 3310.

strength), under the sample task order one factor, it is highly likely that BAH's proposal would still have been rated very good overall.[12]

In sum, we find that correcting the above errors would not have affected the relative standing of Perspecta's proposal and would not have resulted in Perspecta having a substantial chance of receiving a contract.

The protest is denied.

Thomas H. Armstrong
General Counsel

---

[12] In this scenario, for the sample task order one factor, BAH's proposal would still have received 12 major strengths, 4 minor strengths, 1 major weakness, and 4 minor weaknesses, while Perspecta's proposal would have only received 3 major strengths along with its 6 major weaknesses. See AR, Tab 13.1, Sample Task Order One Technical Evaluation, at 3137-3145. Comparisons to the other awardees would lead to similar results.