



DOCUMENT FOR PUBLIC RELEASE

The decision issued on the date below was subject to a GAO Protective Order. This version has been approved for public release.

Decision

Matter of: Grove Street Investment, LLC

File: B-421489

Date: June 7, 2023

Edward J. Tolchin, Esq., Offit Kurman Attorneys-at-Law, for the protester.
Julie K. Cannatti, Esq., Justin D. Haselden, Esq., and Jonathan I. Pomerance, Esq.,
Department of Housing and Urban Development, for the agency.
Uri R. Yoo, Esq., and Alexander O. Levine, Esq., Office of the General Counsel, GAO,
participated in the preparation of the decision.

DIGEST

1. Protest asserting that agency was required to seek clarification of an error in protester's proposal, caused by an alleged latent solicitation ambiguity, is denied where the solicitation was not ambiguous and the agency was under no obligation to seek clarification of the inaccurate information submitted by the protester.
 2. Protest challenging the evaluation of the protester's past performance is denied where the protester failed to submit the past performance narrative required by the solicitation to demonstrate relevancy.
-

DECISION

Grove Street Investment, LLC, a small business of Arlington, Virginia, protests the award of a contract to NuvoLogic Consulting, Inc., a small business of McLean, Virginia, under request for proposals (RFP) No. 86615622R00004. The solicitation was issued by the Department of Housing and Urban Development (HUD) for loan underwriting and closing services in support of the agency's administration of its mortgage insurance program. The protester contends that the agency unreasonably evaluated Grove Street's proposal under the technical approach and past performance factors.

We deny the protest.

BACKGROUND

The agency issued the solicitation on July 13, 2022, for project management, loan insurance underwriting, loan closing, and loan monitoring and administration in support

of HUD's Office of Healthcare Programs, which administers a mortgage insurance program pursuant to section 232 of the National Housing Act. Agency Report (AR), Tab 1, RFP at 1, 9; Contracting Officer's Statement (COS) at 1; see 12 U.S.C. § 1715(b). The RFP contemplated award of a hybrid contract with fixed-price and fixed-unit-rate line item numbers (LIN) for a 1-year base period and four 1-year options using a competitive 8(a) small business approach under the procedures of Federal Acquisition Regulation (FAR) part 15, part 12, and subpart 19.8.¹ RFP at 9.

The RFP advised that award would be made to the responsible offeror whose proposal was the most advantageous to the government considering four factors: technical approach, management plan, past performance, and price. *Id.* at 38. Non-price factors were of equal importance, and all non-price factors, when combined, were significantly more important than price. *Id.* at 40.

Offerors were instructed to submit their proposals in two parts. *Id.* at 33. Part I, the technical proposal, was to contain three volumes: volume I, technical approach; volume II, management plan; and volume III, past performance. *Id.* at 33; AR, Tab 2, RFP amend. 1 at 5.² Part II, the business proposal, was to be comprised of the price rate schedule, price breakdown worksheet, and other required information. RFP at 33. The RFP informed offerors that "[e]ach [p]art of the [p]roposal must be completed in itself so that evaluation of each part may be conducted independently and strictly on its own merit," and noted that "[i]nformation not found in the correct [p]roposal [p]art and [v]olume will be assumed to have been omitted from the proposal and not evaluated." *Id.*

As part of their technical approach volumes, offerors were to provide a labor mix and level of effort matrix containing the labor categories and number of hours being proposed for each labor category. AR, Tab 2, RFP amend. 1 at 5. The solicitation instructed offerors to use the RFP-provided attachment 0004, "Sample Labor Category/Hours Breakdown Worksheet without Rates," to provide the information. *Id.* The solicitation informed offerors that, as part of the technical approach factor, the agency would evaluate "[h]ow well the proposed labor mix is based upon reasonable assumptions and is consistent with the requirements set forth in the [p]erformance [w]ork [s]tatement and the proposed technical approach." *Id.* at 6.

¹ Section 8(a) of the Small Business Act, 15 U.S.C. § 637(a), authorizes the Small Business Administration to enter into contracts with government agencies and to arrange for performance through subcontracts with socially and economically disadvantaged small businesses. FAR subpart 19.8. This program is commonly referred to as the "8(a) program."

² Amendment 1 to the RFP, issued on August 1, 2022, added attachment 0004 and, as a consequence, changed the numbering of past performance attachments 0004 and 0005 to attachments 0005 and 0006.

For past performance, offerors were required to complete a past performance information chart, listing up to five relevant past performance references for work performed in the 3-year period immediately preceding submission of the proposal or work currently being performed. RFP at 36. As relevant here, the solicitation also instructed offerors as follows:

As an attachment to the chart, the offeror shall provide a narrative describing the past performance references that reflect the most relevance to the services being obtained under the contract to be awarded. The narrative shall clearly establish the relevancy of the past performance to the current requirements. (Narratives shall not exceed 1 page per reference.)

Id. The RFP informed offerors that the agency would first assess all references for recency, considering only those performed within the three years immediately prior to submission of the proposal. *Id.* at 39. Of those references determined to be recent, the agency would then determine relevancy by assessing “the degree of similarity in scope, value and magnitude the past performance efforts submitted have to the solicitation requirements.” *Id.* Only those past performance efforts determined to be recent and relevant would be assessed for quality, and the agency would make an overall assessment “based upon sufficiency of high quality past performance and risk of nonperformance.” *Id.* The RFP provided that offerors that have “addressed the [past performance] factor and have no relevant past performance history” will be rated as neutral (neutral confidence). *Id.*

By the solicitation closing date of August 10, 2022, the agency received proposals from five offerors, including Grove Street and NuvoLogic. COS at 4. Following the evaluation of proposals, Grove Street and NuvoLogic were rated as follows:³

	Grove Street	NuvoLogic
Technical Approach	Fair	Good
Management Plan	Good	Good
Past Performance	Neutral	Good
Price	\$22,146,379	\$19,207,566

AR, Tab 14, TEP Report at 4; Tab 13, Price Analysis Report at 3.

³ For the technical approach and management plan factors, the agency used adjectival ratings of excellent, good, fair, marginal, and unacceptable. AR, Tab 14, Technical Evaluation Panel (TEP) Report at 3. For the past performance factor, the agency used adjectival ratings of excellent (very low risk/high confidence), good (low risk/high confidence), satisfactory (medium risk/some confidence), neutral (unknown risk/neutral confidence), poor (very high risk/low confidence), and unsatisfactory (very high risk/low confidence). *Id.* at 3-4.

In assigning a rating of fair to Grove Street's technical approach, the TEP identified one significant weakness that was found to increase the risk of unsuccessful performance. AR, Tab 14, TEP Report at 5. Specifically, the TEP found that Grove Street's proposed level of effort--522.5 total hours for the base year--was not consistent with the requirements set forth in the performance work statement (PWS) and the protester's proposed technical approach. *Id.*

For past performance, the TEP assigned a rating of neutral to Grove Street's proposal after concluding that none of its five past performance references were relevant. *Id.* at 13. While all five references met the solicitation's recency requirement, the TEP found that the protester failed to provide a supporting narrative describing the relevancy of the past performance references and thereby failed to "demonstrate a full range of loan underwriting and closing services [were] available" for the referenced projects. *Id.* at 10-13.

Based on these evaluation findings, the source selection authority selected NuvoLogic's higher-rated and lower-priced proposal for award. COS at 7. After requesting and receiving a debriefing, Grove Street filed this protest.

DISCUSSION

The protester argues that the agency unreasonably assessed a significant weakness under the technical approach factor for an obvious clerical error in Grove Street's labor mix and level of effort matrix. Protest at 9-10. The protester also contends that the agency unreasonably concluded that Grove Street had no relevant past performance based on Grove Street's failure to provide a narrative with its past performance information chart. *Id.* at 10-11. Although we do not specifically discuss every collateral argument, we have considered all of the protester's assertions and find no basis to sustain the protest.

In reviewing a protest challenging an agency's evaluation of proposals, our Office will not reevaluate proposals or substitute our judgment for that of the agency, as the evaluation of proposals is a matter within the agency's discretion. *See STG, Inc.*, B-411415, B-411415.2, July 22, 2015, 2015 CPD ¶ 240 at 5. Rather, we will review the record to determine whether the agency's evaluation was reasonable and consistent with the stated evaluation criteria and applicable procurement statutes and regulations. *MVM, Inc.*, B-407779, B-407779.2, Feb. 21, 2013, 2013 CPD ¶ 76 at 5-6. A protester's disagreement with the agency's judgment, without more, is insufficient to establish that an evaluation was unreasonable. *Id.* at 5.

Technical Approach

The protester contends that it was unreasonable for the agency to conclude that Grove Street proposed a total of 522.5 hours to support the procurement for the entire base year because it was "clear beyond peradventure" that this number was "obviously inaccurate and impossible." Protest at 9; Comments at 1. While acknowledging that its

technical proposal contained an error, Grove Street maintains that it was unreasonable for the agency to assess a significant weakness for that error. Protest at 9-10; Comments at 1-3. The protester asserts that the error was caused by a latent ambiguity in the solicitation, and that the agency abused its discretion in not seeking clarifications. *Id.* The agency responds that it reasonably assessed the significant weakness based on the information in the protester's proposal and that it was not required to seek clarifications for the protester's error. Memorandum of Law (MOL) at 2-4. As discussed further below, we agree with the agency.

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 that fails to do so runs the risk that the agency will, as here, unfavorably evaluate the offeror's proposal. *Enterprise Servs., LLC et al.*, B-415368.2 *et al.*, Jan. 4, 2018, 2018 CPD ¶ 44 at 7. When evaluating a particular section of a proposal, evaluators are not obligated to go to unrelated sections of the proposal in search of missing or inadequately presented information. *WILLCOR, Inc.*, B-413390.4, Oct. 24, 2016, 2016 CPD ¶ 300 at 5; *Savantage Fin. Servs. Inc.*, B-299798, B-299798.3, Aug. 22, 2007, 2007 CPD ¶ 214 at 9. In this regard, where a proposal is organized by sections that correspond to specific paragraphs in the solicitation requirements, an agency may reasonably expect that the proposal will address these requirements in the correspondingly numbered proposal sections. *CACI Techs., Inc.*, B-408552, Nov. 1, 2013, 2013 CPD ¶ 255 at 7-9.

As noted, the solicitation here required offerors to provide their proposed "[l]abor mix and level of effort (labor categories and number of hours for each labor category)," as part of volume 1 of their technical proposal, for evaluation under the technical approach factor. AR, Tab 2, RFP amend. 1 at 5. Offerors were instructed to provide this information by completing attachment 4, "Sample Labor Category/Hours Breakdown Worksheet without Rates." *Id.* Offerors were "cautioned not to include pricing in the labor mix/level of effort matrix submitted with the technical proposal." *Id.*

As partly shown below, RFP attachment 4 consisted of a Microsoft Excel document comprised of five spreadsheets, one for the base period and for each of the four option periods. AR, Tab 6, RFP attach. 4. Each spreadsheet contained five columns labeled as follows: labor category; prime or sub; full-time equivalent (FTE); hours; and total hours. *Id.* The spreadsheet for the base year was arranged into nine sections, corresponding to the nine LINs associated with specific sections of the PWS, and a "Grand Total" section.⁴ *Id.* Each spreadsheet also contained several sample labor categories marked as "Example" and corresponding sample hours. *Id.* Specifically, for each of the first sample labor categories under each LIN section, the form included

⁴ All five spreadsheet pages included the same eight LINs corresponding to specific tasks identified under PWS sections 5.1 to 5.4. AR, Tab 6, RFP attach. 4. The spreadsheet pages for the base period and the fourth (last) option period also included a ninth LIN for transition support services under PWS section 5.5. *Id.*

sample data of 1.00 FTE, 10.0 hours, and 10.0 total hours, resulting in 90.0 hours and 90.0 total hours in the “Grand Total” section. *Id.*

In its agency report, the agency noted that the solicitation attachment contained an errant formula in the “total hours” column that would automatically populate some cells in that column with the number entered into the “hours” column. COS at 3; AR, Tab 6, RFP attach. 4. The errant formula was present under the first three LINs, but not under the remaining six LINs or the grand total section. See AR, Tab 6, RFP attach. 4.

The first portion of the attachment is shown below:

The screenshot shows an Excel spreadsheet with the following data:

	A	B	C	D	E	F
1				Attachment 0004_Solicitation 86615622R00004_232 Loan Underwriting and Closing		
2						
3	LIN 0001 - Loan Underwriting Due Diligence for 232/223(f) Healthcare Program (PWS 5.1) - Base					
4	Labor Category	Prime or Sub	FTE	Hours	Total Hours	
5	Partner (Example)	Prime	1.00	10.0	10.0	
6	Senior Manager (Example)		-	0.0	0.0	
7	Manager (Example)		-	0.0	0.0	
8	Senior Associate (Example)		-	0.0	0.0	
9	Associate (Example)		-	0.0	0.0	
10	Add Labor Category		-	0.0	0.0	
11	Total for LIN 0001			10.0	10.0	
12	LIN 0002 - Loan Underwriting Due Diligence for 232/223(a)7 Healthcare Program (PWS 5.1) - Base					
13	Labor Category	Prime or Sub	FTE	Hours	Total Hours	
14	Partner (Example)	Prime	1.00	10.0	10.0	
15	Senior Manager (Example)		-	0.0	0.0	
16	Manager (Example)		-	0.0	0.0	
17	Senior Associate (Example)		-	0.0	0.0	
18	Associate (Example)		-	0.0	0.0	
19	Add Labor Category		-	0.0	0.0	
20	Total for LIN 0002			10.0	10.0	

Id.

Upon reviewing the protester’s submitted labor hours and level of effort matrix, the TEP found that the protester had proposed a total of 522.5 hours to support the procurement for the entire base year. AR, Tab 14, TEP Report at 6; see AR, Tab 10, Grove Street Technical Approach Proposal, attach. 4 at 24. Noting that Grove Street’s proposed hours for each labor category were “significantly underestimated and/or reflect a clerical error in the calculations,” the TEP concluded that the “unreasonableness of the proposed labor hours as it applies to the technical approach introduces a high level of risk of unsuccessful performance.” AR, Tab 14, TEP Report at 6. Based on this

conclusion, the TEP assessed a significant weakness for this aspect of Grove Street's technical approach. *Id.*

The protester first argues that the total hours indicated in its proposal reflect a clear clerical error caused by the fact that the sample data in the solicitation attachment "did not differentiate hours and total hours." Protest at 9. In this respect, the protester contends that the sample numbers provided in the attachment introduced a latent ambiguity, where Grove Street reasonably interpreted the sample numbers to indicate how offerors were to complete the spreadsheet. *Id.* After the agency noted in its report that the solicitation-provided spreadsheet contained an errant formula in some of the cells in the "total hours" column, the protester, for the first time, argued that its "clerical error result[ed] from the Agency's own clerical error." Comments at 2; see COS at 3. In other words, the protester argues that the spreadsheet, by including the errant formula, required offerors to propose the same number for the "hours" and the "total hours" columns. *Id.* The protester contends that it should not be penalized for complying with the solicitation instruction implied by this agency error. *Id.* Based on our review of the record, we find no merit to the protester's arguments.

Where a protester and agency disagree over the meaning of solicitation language, we will resolve the matter by reading the solicitation as a whole and in a manner that gives effect to all of its provisions; to be reasonable, and therefore valid, an interpretation must be consistent with the solicitation when read as a whole and in a reasonable manner. *Tech62, Inc.*, B-420883, B-420883.2, Oct. 3, 2022, 2022 CPD ¶ 253 at 6; *TCG, Inc.*, B-417610, B-417610.2, Sept. 3, 2019, 2019 CPD ¶ 312 at 5. An ambiguity exists where two or more reasonable interpretations of the terms or specifications of the solicitation are possible. *Tech62, Inc.*, *supra*; *TCG, Inc.*, *supra*. A solicitation requirement is only considered ambiguous when it is susceptible to two or more reasonable interpretations. *TCG, Inc.*, *supra*.

The solicitation instructed offerors to provide the "[l]abor mix and level of effort (labor categories and number of hours for each labor category)" for their technical approach using the provided attachment. AR, Tab 2, RFP amend. 1 at 5. While the sample data in the solicitation attachment noted only 1 FTE under each LIN, and 10 "hours" for each FTE (resulting in 10 "total hours" being proposed under each LIN), nothing in the solicitation indicated that the offeror should propose the same number of hours for the "hours" column and the "total hours" column. It was clear on the face of the solicitation that the sample data was just that--an "Example" as was expressly and repeatedly marked. In fact, any reasonable review of the spreadsheet would show that the reason the sample data "did not differentiate hours and total hours" was because only one FTE was proposed for each sample labor category. While an errant formula in the spreadsheet caused the "total hours" column to automatically reflect the number entered in the "hours" column for certain labor categories, the protester does not offer--and we cannot find--a reasonable alternate interpretation of the clear solicitation requirement to provide the "total hours" for the proposed labor categories. Because there is only one reasonable explanation for the solicitation requirement at issue, we conclude that the provision was not ambiguous.

Unlike the unambiguous solicitation instructions, the level of effort proposed by Grove Street was not transparent. While the protester admits that its 522.5 total hours were listed in error, the protester does not suggest what the correct number of total hours would have been without the errant formula in the spreadsheet. In fact, the protester does not suggest any way to arrive at its intended level of effort using the information it provided in the remaining, error-free parts of its *technical* proposal. Rather, the protester suggests that the agency should have derived Grove Street's intended level of effort by extracting and calculating data from its *business* proposal. See Comments at 1 n.1 (“[Grove Street’s] base period level of effort, 24,615.00 hours, is calculable from [Grove Street’s] business proposal (AR Tab 12) by taking the Quantity information in 1.0 Attachment 2 (pages 3-5 of 44), and multiplying it by the Volume/Hours information in 1.1 Attachment 3 ([pages] 5-6 of 44).”). Thus, even if we accept the protester’s contention that the error was in the failure of the form spreadsheet to differentiate between the “Hours” and “Total Hours” columns, the protester fails to show how the remaining attachment 4 information (or the remainder of the technical proposal), could be used to correctly calculate the total hours Grove Street intended to propose.⁵

On this record, we find unobjectionable the agency’s evaluation findings, which were based on the level of effort indicated on the face of Grove Street’s technical proposal. The solicitation here informed offerors that “[e]ach Part of the Proposal must be completed in itself so that evaluation of each part may be conducted independently and strictly on its own merit,” and specifically noted that “[i]nformation not found in the correct Proposal Part and Volume will be assumed to have been omitted from the proposal and not evaluated.” RFP at 33. As noted above, 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; evaluators are not obligated to go to unrelated proposal sections in search of missing or inadequately presented information. See *WILLCOR, Inc., supra*. The agency was therefore not obligated to look in other volumes of Grove Street’s proposal to make sense of the information in the technical proposal that the protester admits was “obviously inaccurate and impossible.” See Comments at 1.

⁵ The protester’s attachment 4 included 6 labor categories under each of the 9 LINs, for a total of 54 labor categories. AR, Tab 10, Grove Street Technical Proposal, attach. 4 at 2. For 50 of those 54 labor categories, Grove Street proposed just 1 FTE each, and fewer than 5 hours for a majority of those line entries. *Id.* As a result, the “Grand Total for LIN 0001 - LIN0009” section of the spreadsheet showed a total of 17 FTEs proposed with 522.50 in the “Hours” column. *Id.* Even if the agency had ignored the numbers in the “Total Hours” column and, instead, had calculated the total by multiplying the FTE for each proposed labor category by the number of hours proposed for that labor category, the resulting total would be 1,449.5 hours. See *id.* As the TEP determined that 25,000 hours were the minimum level of effort consistent with Grove Street’s proposed technical approach, we cannot conclude that the agency would have reached a different evaluation conclusion. See AR, Tab 14, TEP Report at 6.

We also find no merit to the protester's argument that the agency abused its discretion by failing to seek clarifications to allow Grove Street to correct its error. It is well-settled that an agency may, but is not required to, engage in clarifications that give offerors an opportunity to clarify certain aspects of proposals or to resolve minor or clerical errors. FAR 15.306(a)(2); *Wolverine Services LLC*, B-409906.3, B-409906.5, Oct. 14, 2014, 2014 CPD ¶ 325 at 6; see also, *Savvee Consulting, Inc.*, B-408623, B-408623.2, Nov. 8, 2013, 2013 CPD ¶ 265 at 6. Although agencies have broad discretion as to whether to seek clarifications from offerors, offerors have no automatic right to such clarifications, and such communications cannot be used to cure proposal deficiencies or material omissions, materially alter the technical or cost elements of the proposal, or otherwise revise the proposal. *STG, Inc.*, B-411415, B-411415.2, July 22, 2015, 2015 CPD ¶ 240 at 8-9.

Here, we agree with the agency that the erroneous level of effort information in Grove Street's technical proposal was not a minor clerical error that could simply be remedied through clarifications. Instead, the record supports the agency's position that Grove Street's proposed hours were "significantly underestimated and/or reflect a clerical error in the calculations." AR, Tab 14, TEP Report at 6. On this record, we find that the evaluators reasonably concluded that the "unreasonableness of the proposed labor hours as it applies to the technical approach introduces a high level of risk of unsuccessful performance." *Id.*

As noted above, it was not apparent from the face of the protester's proposal under the technical approach factor what level of effort Grove Street intended to propose. Indeed, the protester never articulates how the alleged clerical error could have been remedied using information from the technical approach section of its proposal. Instead, the protester notes that the agency would be able to calculate Grove Street's intended level of effort only by extracting information from two different attachments in the separate, business volume of its proposal. See Comments at 1 n.1.

Accordingly, we agree with the agency that the above error was not a minor or clerical error, but would have required the submission of a revised proposal with new entries and calculations to correct the error. Because offerors have no automatic right to clarifications, and because Grove Street's proposal contained more than a minor clerical error and thus would have required conducting discussions to obtain the missing information, we find unavailing the protester's contention that the agency should have sought clarifications. See *Abacus Technology Corp.; SMS Data Products Group, Inc.*, B-413421 *et al.*, Oct. 28, 2016, 2016 CPD ¶ 317 at 20-21 (inconsistency in the security clearance column of the staffing matrix was not a minor clerical error that could be addressed through clarifications).

Accordingly, we find the agency's evaluation of the protester's proposal under the technical approach factor to be reasonable and deny this protest ground.

Past Performance

Grove Street next challenges the agency's past performance evaluation, asserting that the agency unreasonably determined that none of Grove Street's past performance submissions were relevant. Protest at 10-11. Specifically, the protester argues that the agency unreasonably ignored relevant experience information provided in other parts of Grove Street's proposal and available from the Past Performance Information Retrieval System (PPIRS). *Id.* The agency responds that it reasonably assigned a past performance rating of neutral because the protester failed to submit a narrative required for determining the relevancy of the submitted past performance projects. MOL at 4-6.

Our Office will review an agency's evaluation of past performance only to ensure that it was reasonable and consistent with the stated evaluation criteria and applicable statutes and regulations, as determining the relative merit of an offeror's past performance is primarily a matter within the agency's discretion. *Souza Construction, Inc.*, B-420966.4, Jan. 11, 2023, 2023 CPD ¶ 41 at 5. The evaluation of past performance, by its very nature, is subjective, and we will not substitute our judgment for reasonably based evaluation ratings; an offeror's disagreement with an agency's evaluation, by itself, does not demonstrate that the agency's judgments are unreasonable. *Aerospace Training Sys. Partners, LLC*, B-419668, B-419668.2, June 22, 2021, 2021 CPD ¶ 243 at 4-5.

The solicitation here required offerors to provide their past performance information in a separate past performance volume comprised of a past performance information chart and a past performance survey to be completed by the offerors' references. RFP at 33; AR, Tab 2, RFP amend. 1 at 5. The RFP also required offerors to provide, "[a]s an attachment to the [past performance information] chart," a narrative that "clearly establish[es] the relevancy of the past performance to the current requirements." RFP at 36. Moreover, as noted above, the solicitation specifically warned offerors that "[i]nformation not found in the correct Proposal Part and Volume will be assumed to have been omitted from the proposal and not evaluated." *Id.* at 33.

In evaluating Grove Street's past performance, the TEP found that the protester failed to provide the required narrative describing the relevance of the projects listed in Grove Street's past performance information chart. AR, Tab 14, TEP Report at 10; see *generally*, AR, Tab 11, Grove Street Past Performance Proposal. Without this narrative, the TEP noted that "the brief title describing [each] reference" in the past performance information chart did not "demonstrate [that] a full range of loan underwriting and closing services are available." AR, Tab 14, TEP Report at 11-13. Based on the review of this chart and the relevant PPIRS information for the referenced projects, the TEP concluded that Grove Street provided insufficient information to establish the relevance of its submitted past performance references. AR, Tab 14, TEP Report at 10; see *generally*, AR, Tab 15, PPIRS Information; COS at 6.

We find no basis here to question the agency's evaluation of Grove Street's past performance. Our review of the record confirms that Grove Street failed to provide

information required by the solicitation to evaluate the relevancy of Grove Street's past performance references. The record shows that the protester's past performance volume consisted of a single page containing the past performance information chart in the format provided in RFP attachment 5. AR, Tab 11, Grove Street Past Performance Proposal at 1. It did not, however, include any narrative information describing the relevance of the listed references to the current requirements nor reference any other portions of the proposal for the required relevancy information. See *id.*

Relying on the introductory pages in the technical approach volume of its proposal, the protester maintains that it "provided the narrative attached together with its past performance chart." Comments at 3, *quoting* AR, Tab 9, Grove Street Technical Approach Proposal at 2-4. The protester contends that these introductory pages--found in the technical approach volume--satisfied the solicitation's requirement for a narrative describing the relevance of Grove Street's past performance references. *Id.* at 3-4. We disagree.

Again, as explained above, the solicitation specifically instructed offerors to submit their proposals in separate volumes and informed them that information not found in the correct volume will be "assumed to have been omitted from the proposal and not evaluated." RFP at 33. As also noted above, offerors bear the burden of submitting an adequately written proposal and contracting agencies evaluating one section of a proposal are not obligated to go in search of needed information which the offeror has omitted or failed to adequately present. See *WILLCOR, Inc., supra*; *Sam Facility Mgmt., Inc.*, B-292237, July 22, 2003, 2003 CPD ¶ 147 at 5. Here, we have no basis to question the agency's conclusion that "the brief title describing the reference" in the past performance information chart, submitted without the required narrative, did not demonstrate the required relevance of the references. AR, Tab 14, TEP Report at 11-13. The agency was not obligated to look in the technical approach portion of Grove Street's proposal in search of the required past performance information.

We also find unpersuasive the protester's argument that the agency unreasonably concluded that Grove Street had no relevant past performance because four of the past performance projects submitted were for the "*same identical work* [performed] for HUD" under task orders for the predecessor contract. See Comments at 5 (emphasis in original). While the solicitation provided that the agency "may utilize information obtained from any source," there was no obligation for the agency to remedy the protester's failure to include required information in its proposal. See RFP at 39.

Our Office has recognized that, in certain limited circumstances, an agency evaluating an offeror's proposal has an obligation (as opposed to the discretion) to consider "outside information" bearing on the offeror's past performance when such information is "too close at hand" to require offerors to shoulder the inequities that spring from an agency's failure to obtain and consider the information. See, e.g., *International Bus. Sys., Inc.*, B-275554, Mar. 3, 1997, 97-1 CPD ¶ 114 at 5. This principle, however, is not intended to remedy an offeror's failure to include information in its proposal. *FN Manufacturing LLC*, B-407936 *et al.*, Apr. 19, 2013, 2013 CPD ¶ 105 at 4; *Paragon*

Technology Group, Inc., B-407331, Dec. 18, 2012, 2013 CPD ¶ 11 at 6 n.8. Where an offeror is in control of the past performance information contained in its proposal--and not reliant on third parties to submit that information--it exercises its own judgment as to the information that the agency should consider. Under such circumstances, there is “no inequity” in an agency’s decision to base its evaluation on an offeror’s proposal as written, instead of supplementing the proposal with the agency’s understanding of the offeror’s performance. See *L-3 Servs., Inc.*, B-406292, Apr. 2, 2012, 2012 CPD ¶ 170 at 12 n.10.

Here, the solicitation required offerors to submit a narrative to “clearly establish the relevancy of the past performance to the current requirements.” RFP at 36. Grove Street had the responsibility to submit--and was in full control of providing--the required narrative as part of its past performance proposal, and failed to do so. Under these circumstances, we do not find objectionable the agency’s decision to base its relevancy determination on the protester’s proposal as written, instead of supplementing the proposal with its own understanding of the protester’s work on task orders under the incumbent contract.

For the same reason, we find no merit to the protester’s argument that the agency unreasonably ignored relevancy information about Grove Street’s past performance references available in PPIRS. See Protest at 10; Comments at 5. In light of the protester’s failure to provide the required relevancy narrative, the agency was not required to remedy this failure with information from other sources. See *FN Manufacturing LLC, supra*. Moreover, the record shows that the agency did review available PPIRS information for the protester’s submitted references, but concluded that PPIRS “provided insufficient information for the TEP to establish that the references were relevant.” COS at 6; see AR, Tab 14, TEP Report at 10-13; see *generally*, AR, Tab 15, PPIRS Information. Although Grove Street disagrees with that conclusion, its disagreement with the agency’s evaluation, without more, does not demonstrate that those judgments are unreasonable. See *Aerospace Training Sys. Partners, LLC, supra*.

The protest is denied.

Edda Emmanuelli Perez
General Counsel