



Decision

Matter of: Koniag Technology Solutions, LLC--Reconsideration

File: B-421937.2

Date: May 7, 2024

Devon E. Hewitt, Esq., and Matthew L. Nicholson, Esq., Potomac Law Group, PLLC, for the protester.

Jon D. Levin, Esq., W. Brad English, Esq., and Emily J. Chancey, Esq., Maynard Nexsen, PC, for AccelGov, LLC, the intervenor.

Stephani Abramson, Esq., and Jennifer Klein, Esq., National Archives and Records Administration, for the agency.

Hannah G. Barnes, Esq., and Christina Sklarew, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Request for reconsideration of prior decision is dismissed where the requesting party fails to present new information not previously considered that would warrant reversal or modification of prior decision.

DECISION

Koniag Technology Solutions, Inc., a small, disadvantaged business of Chantilly, Virginia, requests reconsideration of our decision in *Koniag Technology Solutions, LLC*, B-421937, Dec. 7, 2023, 2023 CPD ¶ 281, in which we denied its protest against the establishment of a blanket purchase agreement (BPA) with AccelGov, LLC, a woman-owned small business of Bethesda, Maryland, under request for quotations (RFQ) No. 88310323Q00038, issued by the National Archives and Records Administration for enterprise-wide information technology services. Koniag requests that we reconsider our prior decision in light of new information not previously considered.

We dismiss the request.

Among other things, Koniag argued in its protest that the agency unreasonably identified a deficiency in its quotation regarding the qualifications of Koniag's proposed service desk manager. Specifically, the RFQ required that a vendor's service desk manager have a minimum of "10 years' experience managing a service desk," and evaluators documented their conclusion that Koniag's proposed service desk manager

had only five years of this experience. Agency Report (AR), Tab 4, RFQ at 78; AR, Tab 9, Vendor Selection Decision at 72. Koniag pointed to language in the service desk manager's resume generally stating that he has fifteen years of experience performing service desk management and argued that, had the agency performed a reasonable evaluation, it would have found that the proposed service desk manager met the experience requirements.

In denying this aspect of the protest, we found that the agency had acted reasonably in concluding that Koniag's proposed service desk manager lacked the experience required by the solicitation. *Koniag Technology Solutions, LLC, supra* at 4-5. We concluded that the agency's review of the specific descriptions of the service desk manager's previous work in his resume "support[ed] the agency's calculation of five years' experience," rather than fifteen. *Id.* at 4.

In its request for reconsideration, Koniag first presents what it characterizes as "information that was not available during the protest," or new information, relating to the service desk manager's employment. Req. for Reconsideration at 5. Specifically, Koniag asserts that, on December 20, 2023, it learned that the service desk manager initially proposed by Koniag had accepted a position with AccelGov to serve as the service desk manager for this program. *Id.* at 4-5. According to Koniag, this new information demonstrates that, contrary to the agency's evaluation, the proposed service desk manager had the service desk management experience required by the solicitation or, "at a minimum," it demonstrates the agency has now waived the experience requirement for AccelGov's benefit.¹ *Id.* at 5.

We dismiss Koniag's request for reconsideration. In order to obtain reconsideration, a requesting party must show either that our prior decision contains errors of fact or law, or present new information not previously considered that would warrant reversal or modification of our earlier decision. *Department of Housing and Urban Development--Recon.*, B-414459.5, Sept. 26, 2018, 2018 CPD ¶ 341 at 4. Koniag's request fails to meet this standard.

The term "new information" used in our regulations and decisions does not have the meaning Koniag contends. In the context of a protest challenging an agency's evaluation of quotations and source selection decision, new information means newly disclosed but contemporaneously available information--in existence at the time of the agency's selection decision--that could or should have had a material effect on the agency's evaluation and selection decision. See *Odin Constr. Sols., Inc.--Recon.*, B-419793.3, Nov. 3, 2021, 2022 CPD ¶ 40 at 6 (finding that the agency's comments regarding an awardee's performance, based on events that occurred months after the evaluation and award decision, and alleged in reconsideration request to show agency bias, were not considered "new information"). New information does not mean

¹ Koniag's allegation that the agency waived the service desk manager experience requirement is a new protest ground and consequently not a basis for reconsideration.

information about future events--*i.e.*, ones that take place subsequently--that an agency could not have known during its source selection process. *Id.*

Here, the record shows the agency established the BPA with AccelGov on August 21, 2023. *Koniag Technology Solutions, LLC, supra* at 2. The “new information” on which the reconsideration request is based--AccelGov’s hiring of the service desk manager initially proposed by Koniag for the same position--by the protester’s own account, occurred after the agency had made award to AccelGov and was first discovered on December 20, well after the agency made its selection decision.

Koniag has not explained, and it is not apparent, how it would be possible for the agency to take into consideration events that had not yet transpired in evaluating quotations and making a source selection decision. In short, Koniag has failed to present new information of the sort contemplated under our standard for granting a request for reconsideration.²

The request for reconsideration is dismissed.

Edda Emmanuelli Perez
General Counsel

² In any event, we note that the reasonableness of the agency’s evaluation is not measured by new information about the qualifications of the service desk manager in question, but rather by the information provided by Koniag in the resume included in its quotation. Vendors are responsible for submitting a well-written quotation with adequately detailed information that allows for meaningful review by the procuring agency, and where a vendor fails to do so, it runs the risk that a procuring agency will evaluate its quotation unfavorably. *WKG & Assocs., LLC, B-409835, Aug. 26, 2014, 2014 CPD ¶ 250* at 7. It could be true that the service desk manager possesses the required experience, but that the agency reasonably concluded that Koniag did not submit a well-written quotation with adequately detailed information demonstrating that its proposed service desk manager met the solicitation’s experience requirement. Regardless, any alleged new information about the actual qualifications of the service desk manager would not provide a basis for reconsideration.