



Decision

Matter of: Roku Management Consulting, LLC

File: B-423683

Date: July 29, 2025

David Roku for the protester.

John E. Toner, Esq., T. Alexander Cloud, Jr., Esq., Sophia I. Hernandez Tragesser, Esq., and William D. Reach, Esq., Department of the Navy, for the agency.

Glenn G. Wolcott, Esq., and April Y. Shields, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest based on inaccurate representations regarding the terms of the solicitation is dismissed for failing to state a sufficient basis for protest.

DECISION

Roku Management Consulting, LLC (RMC), of Glen Allen, Virginia, protests the Department of the Navy's exclusion of RMC's proposal from consideration under request for proposals (RFP) No. N3220525R4034 to provide financial management support services. RMC asserts that the agency's evaluation of RMC's technical proposal was based on unstated evaluation factors.

We dismiss the protest.

BACKGROUND

On January 21, 2025, the agency issued RFP No. N3220525R4034, seeking proposals to provide financial management support services for the Department of the Navy's Military Sealift Command. The solicitation provided for award on a lowest-priced, technically acceptable basis and established three evaluation factors: technical/organizational experience; past performance; and price. RFP at 31-37.¹

¹ The page numbers referenced in this decision are the Adobe PDF page numbers in the documents submitted.

Of relevance here, with regard to the technical/organizational experience factor, the solicitation stated:

The Offeror shall describe its relevant organizational experience . . . in performing work similar in scope, size and complexity to that described in the Performance Work Statement. Similar scope, size and complexity are defined as follows:

* * * * *

Size – over \$10M[illion] total contract value (inclusive of options) per contract.

Id. at 33-34.

Echoing the above directions to offerors, the solicitation stated that “to be considered technically acceptable, the technical proposal shall detail organizational experience in performing work similar in scope, size, and complexity [to the performance work statement requirements].” *Id.* at 36. The solicitation further provided that “if any non-price factor is deemed unacceptable, the entire proposal will be deemed unacceptable.” *Id.* at 35.

On or before the amended closing date of March 10, RMC submitted its proposal. RMC acknowledges that, in responding to the solicitation requirements regarding organizational experience, its technical proposal² “did not include contract number or project values,” but asserts that “there was no requirement to do so.”³ Protest at 1-2.

Thereafter, the agency evaluated RMC’s proposal as unacceptable under the technical/organizational experience evaluation factor,⁴ stating:

RMC’s proposal did not contain any mention of dollar value for previous contracts or projects. Without that information in the technical proposal, the technical team was unable to determine if the organizational

² The solicitation required offerors to submit proposals in separate volumes that corresponded to the evaluation factors.

³ Consistent with its failure to identify any specific contract that demonstrated the required organizational experience in its technical proposal, RMC acknowledges that it “had no recent or relevant past performance.” Protest at 8. Specifically, in its past performance proposal, RMC stated that it “fully understands that . . . our past performance will receive a ‘neutral’ rating due to the absence of a directly comparable contract,” adding that “a neutral rating is considered ‘acceptable.’” RMC Past Performance Proposal at 2.

⁴ RMC’s past performance proposal was evaluated as neutral/acceptable. RMC Debriefing at 7.

experience is similar in size (\$10 million or more) and complexity to this requirement.

RMC Debriefing at 6.

On June 24, the agency notified RMC that its proposal had been eliminated from consideration for award.⁵ On June 30, RMC filed this protest.

DISCUSSION

RMC protests that the agency's evaluation of its technical proposal was based on "unstated evaluation criteria," asserting that "[a]t no point did the solicitation . . . require offerors to disclose contract dollar values." Protest at 6-7. More specifically, RMC asserts that: "[t]he agency's reliance on unstated thresholds, such as a \$10 million size benchmark . . . denied RMC a fair opportunity to compete." *Id.* at 9. Finally, RMC makes the assertion that "[n]owhere in [the solicitation] . . . is there any language indicating that proposals must include the monetary value of past projects, nor is there any specified benchmark of \$10 million or more to establish size similarity." *Id.*

On July 11, the agency responded by requesting dismissal of the protest, arguing, among other things, that RMC's protest is based on factually inaccurate representations regarding the terms of the solicitation. Thereafter, we advised the protester that we intended to render a decision responding to the agency's request and stated that if the protester wished to respond to the agency's request it must do so by July 21. Electronic Protest Docketing System No. 7. The protester did not respond.

Our Bid Protest Regulations require that a protest include a sufficiently detailed statement of the grounds supporting the protest allegations. 4 C.F.R. §§ 21.1(c)(4), 21.1(f), and 21.5(f). That is, a protest must include sufficient factual bases to establish a reasonable potential that the protester's allegations may have merit. *Terra Klean Sols., Inc.*, B-420991, B-420991.2, Sept. 28, 2022, 2022 CPD ¶ 246 at 4; *Ahtna Facility Servs., Inc.*, B-404913, B-404913.2, June 30, 2011, 2011 CPD ¶ 134 at 11. In this context, factually inaccurate assertions do not constitute an adequate basis for protest. *Operations Servs., Inc.*, B-422772.2, Feb. 18, 2025, 2025 CPD ¶ 51 at 4-5.

Here, we have considered all of RMC's various assertions, including complaints that are in addition to or variations of those specifically discussed below, and find no basis to sustain the protest. First, directly contrary to the protester's assertions, the solicitation clearly advised offerors that their technical proposals must demonstrate organizational experience performing work similar in size, scope and complexity to that described in the solicitation's performance work statement--and expressly stated that similarity in

⁵ In excluding RMC's proposal from further consideration, the agency also concluded that RMC's price "could not be determined to be fair and reasonable." RMC Debriefing at 8. RMC's protest does not challenge the agency's evaluation of Roku's proposed price.

size required performance of a contract with a value in excess of \$10 million. RFP at 33-34. Further, the solicitation required offerors to “detail” and “describe” their required experience, *id.* at 33, 36, which we view as directly contrary to the protester’s assertion that the solicitation did not require offerors to identify the particular contracts on which their claimed experience was based. Finally, the solicitation stated that failure to adequately demonstrate the requisite experience would render a proposal unacceptable. *Id.* at 35-36.

In short, RMC’s protest is based on factually inaccurate assertions regarding the solicitation’s stated requirements. On this record, RMC’s protest fails to meet our threshold requirement that it provide a sufficient basis for protest; accordingly, the protest will not be further considered.⁶

The protest is dismissed.

Edda Emmanuelli Perez
General Counsel

⁶ RMC also challenges the solicitation requirement that offerors demonstrate experience with specifically-identified government financial systems, see RFP at 36, asserting that this requirement “unfairly advantages the incumbent.” Protest at 2. However, this allegation is based on solicitation provisions that were clearly apparent prior to submission of proposals. Accordingly, RMS’s assertion is untimely and not for consideration. 4 C.F.R. § 21.2(a)(1); see *Oppenheim Mgmt., LLC*, B-417333, Mar. 26, 2019, 2019 CPD ¶ 128 at 3-4.