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# Decision

**Matter of:** QED Systems, LLC

**File:** B-423634

**Date:** September 16, 2025

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## DIGEST

Protest challenging protester's elimination from the competition is denied where agency reasonably found protester's proposal unacceptable for failing to comply with solicitation requirement.

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## DECISION

QED Systems, LLC, a small business of Aberdeen Proving Ground, Maryland, protests its elimination from the competition under Fair Opportunity Request for Proposals (FORP) No. RS3-24-0012 issued by the Department of the Army, Army Materiel Command, for various support services. The protester contends that the agency's decision to eliminate QED from the competition was unreasonable.

We deny the protest.

## BACKGROUND

The Army issued the FORP on March 25, 2025, pursuant to Federal Acquisition Regulation (FAR) subpart 16.5. Agency Report (AR), Tab 28, FORP at 1.<sup>1</sup> The FORP

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<sup>1</sup> Unless otherwise noted, all references to the solicitation are to the conformed version of the FORP, issued on April 25, 2025, found at tab 28 of the agency report. Citations to the record use the Adobe PDF pagination of documents.

was restricted to small business holders of the Army's Responsive Strategic Sourcing for Services (RS3) multiple-award, indefinite-delivery, indefinite-quantity (IDIQ) contract. *Id.* The solicitation sought support services, including programmatic/business management services, engineering support services, and acquisition/administrative support services. *Id.*

The solicitation contemplated the issuance of a single hybrid cost and fixed-price task order with one 10-month base period and four 12-month option periods. *Id.* Issuance of the task order would be based on a best-value tradeoff, considering the following factors: (1) gateway criteria; (2) oral technical presentations; (3) cost/price; and (4) small business participation. *Id.* at 50, 52. The solicitation explained that technical proposals would be evaluated in two parts. Under part 1, the gateway criteria and small business participation plans would be evaluated together on an acceptable/unacceptable basis and were required to be submitted by the May 2 deadline. *Id.* at 49 ("The Offeror will be expected to provide a Small Business Participation and Subcontracting Plan on 2 May 2025 with the Part 1 – Gateway Criteria."); *see id.* at 52-53, 57. With respect to compliance, the solicitation warned offerors, "[i]f a complete proposal is not submitted by this closing time, the Offeror's proposal will not be considered for award." *Id.* at 34. Further, the RFP advised that any offeror receiving an "unacceptable" rating under part 1 would not be invited to participate in part 2 (oral technical presentation), and that offerors "that are notified that they have not been invited to Part 2 shall no longer be considered for award." *Id.* at 54. While cost proposals were required to be submitted on May 2, the solicitation advised that the agency reserved the right to not evaluate cost proposals found ineligible for award during part 1 or part 2 of the evaluation. *Id.* at 56.

When evaluating QED's proposal under part 1, the agency found the firm had failed to include its small business participation plan. AR, Tab 52, QED Gateway Criteria Evaluation at 6. As such, the agency found QED's proposal to be "unacceptable" under part 1, which rendered the proposal ineligible for award. *Id.*

The Army sent an unsuccessful offeror letter to QED on May 20, 2025. AR, Tab 54, Unsuccessful Offeror Letter. The protester requested a pre-award debriefing, and the Army provided QED with a debriefing on June 3. AR, Tab 56, Debriefing. The protester filed this protest with our Office on June 13.<sup>2</sup>

## DISCUSSION

The protester argues that its elimination from the competition was unreasonable. The protester contends that the agency should have found that QED complied with the

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<sup>2</sup> The anticipated value of the task order exceeds \$35 million. Accordingly, this procurement is within our jurisdiction to hear protests related to the issuance of orders under multiple-award IDIQ contracts awarded under the authority of title 10 of the United States Code. 10 U.S.C. § 3406(f)(1)(B).

requirement to provide the small business participation plan because QED provided a breakdown of its subcontractors and small business labor in its cost narrative proposal.<sup>3</sup> Protest at 5. Specifically, the protester alleges that the “Army’s adamant that QED supply a specific document to substantiate data it provided in multiple places that are clearly marked within its proposal is a paradigmatic example of elevating form over substance.” *Id.* at 7. The agency responds that it reasonably eliminated QED from the competition for failing to comply with a material requirement of the solicitation. Contracting Officer’s Statement and Memorandum of Law (COS/MOL) at 15, 20. We have reviewed all of the protester’s allegations and find no basis to sustain the protest.

It is fundamental that a proposal must conform to the material terms of a solicitation. *Compel JV, LLC*, B-421328, Mar. 8, 2023, 2023 CPD ¶ 64 at 7. Further, it is an offeror’s responsibility to submit a well-written proposal with adequately detailed information that allows for a meaningful review by the procuring agency, and an offeror risks having its proposal evaluated unfavorably in areas where it fails to do so. *Peraton Inc.*, B-422585 *et al.*, Aug. 16, 2024, 2024 CPD ¶ 173 at 12. In reviewing protests challenge an agency’s evaluation of proposals in a task order competition, our Office does not reevaluate proposals but examines the record to determine if the agency’s judgment was reasonable and in accord with the stated evaluation criteria and applicable procurement laws and regulations. *QED Sys., LLC*, B-419441.4, Jan. 28, 2022, 2022 CPD ¶ 38 at 5.

Here, the solicitation required offerors to submit, by the May 2 deadline, multiple documents to be evaluated under part 1 of the evaluation. Specifically, offerors were to provide (1) the gateway criteria documents;<sup>4</sup> (2) the small business participation plan; and (3) the cost/price proposal. FORP at 52. The RFP warned that failure to follow all instructions or provide all submission requirements “may render an offeror ineligible for award.” *Id.* at 57; *see also id.* at 57 (“Failure by the Offeror . . . to submit any of the required information or documentation in the format . . . specified may render the Offeror’s proposal unable to be evaluated and if so, the proposal may be determined ineligible for award, without further consideration.”). In addition to these warnings, the solicitation specifically advised that if “a complete proposal is not submitted by this closing time, the Offeror’s proposal will not be considered for award.” *Id.* at 34.

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<sup>3</sup> Though as stated cost/price would not be evaluated under part 1, offerors were required to submit cost/price proposals along with the gateway criteria and small business participation plan by the May 2 deadline. FORP at 52.

<sup>4</sup> The required gateway criteria documents included a Microsoft Excel spreadsheet describing the offeror’s manpower, a current record of the offeror’s System for Award Management (SAM) report, an organizational conflict of interest declaration, an offeror’s small business certification, and a government furnished property management plan. FORP at 37-39.

Under the part 1 evaluation approach, the solicitation explained that the agency would “verify the validity of all the documents and notify Offerors if they have been selected to participate in Part 2 – Oral Technical Presentation.” *Id.* at 52. Only proposals receiving a rating of “acceptable” under part 1 would then be invited to participate in part 2; conversely, “[o]fferors that are rated Unacceptable will not be invited to participate in Part 2 – Oral Technical Presentation.” *Id.* at 52, 54. Furthermore, the solicitation cautioned multiple times that failure to comply with the solicitation requirements may result in an offeror’s elimination from the competition. *Id.* at 57, 50 (“A proposal that receives a rating of ‘Unacceptable’ . . . may render the entire proposal ineligible for award without further evaluation”), 51 (noting that to be “determined eligible for award,” an offeror must “[r]eceive a rating of ‘Acceptable’ for Volume III – Small Business Participation Plan”).

The record reflects--and the protester does not dispute--that QED failed to submit a small business participation plan with its proposal for evaluation under part 1. Protest at 7; COS/MOL at 11. Thus, in evaluating the gateway criteria and accompanying documents, the agency found the protester’s proposal to be “unacceptable,” for failing to provide the required small business participation plan. AR, Tab 52, QED Gateway Criteria Evaluation at 6. Consistent with the terms of the solicitation, the agency did not invite QED to proceed to part 2 (technical oral presentations) of the evaluation, and the protester was notified of its elimination from the competition. *Id.*; COS/MOL at 12; AR, Tab 54, Unsuccessful Offeror Letter. Based on our review of the record, we find no reason to object to the Army’s rejection of QED’s proposal. *Better Direct, LLC*, B-419893.27, July 5, 2023, 2023 CPD ¶ 167 at 4.

As noted above, the protester, for its part, does not dispute that QED failed to provide a small business participation plan with its proposal. Instead, the protester argues that the agency should have found its proposal acceptable under part 1 because QED provided information about its small business participation in its cost narrative. Protest at 7. As a preliminary matter, the record demonstrates that the agency never evaluated the protester’s cost proposal. AR, Tab 52, QED Gateway Criteria Evaluation at 6 (eliminating QED from further consideration after reviewing gateway criteria and small business plan under part 1). According to the Army, the agency was not required to do so, in accordance with the terms of the solicitation. COS/MOL at 12, 17-19. We agree.

In this regard, the FORP advised that “[a] proposal will not be eligible for award if it receives an Unacceptable rating in Volume III: Small Business Participation and Subcontracting *and a Cost/Price evaluation will not be completed.*” FORP at 57 (emphasis added). As discussed above, we find reasonable the agency’s determination that QED’s proposal was unacceptable under part 1 of the evaluation. Consistent with the terms of the solicitation, the agency was under no obligation to evaluate QED’s cost proposal.

Regardless, even if we were to agree with QED that its cost proposal contained some information bearing on the relevance of its small business plan, our Office has consistently explained that offerors bear the burden of submitting an adequately written

proposal, and “contracting agencies evaluating one section of a proposal are not required to go in search of additional information that an offeror has omitted or failed to adequately present.” *Antium, LLC*, B-421291, B-421291.2, Mar. 6, 2023, 2023 CPD ¶ 62 at 8-9; *Golden Key Grp., LLC*, B-419001, Nov. 16, 2020, 2021 CPD ¶ 135 at 6.

Here, our review of the record confirms the agency’s evaluation to be reasonable, and we have no basis to sustain the protest.

The protest is denied.

Edda Emmanuelli Perez  
General Counsel