



Decision

Matter of: Guardian DB Services, LLC

File: B-423692

Date: September 24, 2025

Johnny Johnson for the protester.
Adam Humphries, Esq., Department of Agriculture, for the agency.
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DIGEST

Protest challenging agency's evaluation of the protester's proposal is denied where the evaluation was reasonable and consistent with the stated evaluation criteria.

DECISION

Guardian DB Services, LLC (Guardian), a small business of Mobile, Alabama, protests the rejection of its proposal under request for proposals (RFP) No. 1240LU25R0008, issued by the Department of Agriculture, Forest Service, for road, bridge, and related civil construction projects in the Forest Service's Rocky Mountain Region 2. Guardian asserts that the agency improperly found that its proposal lacked required information.

We deny the protest.

BACKGROUND

The RFP contemplated the award of at least ten indefinite-delivery, indefinite-quantity contracts for a total 5-year ordering period for construction projects.¹ AR, Exh. 1, RFP at 1, 6-8. Award was to be made on a best-value tradeoff basis, considering five factors: (1) experience and capabilities; (2) geographic awareness and familiarity;

¹ The solicitation was amended two times, neither of which are relevant to this protest, and references to the RFP are to the original solicitation. Agency Report (AR), Exh. 5, Source Selection Decision (SSD) at 1. Citations to the record use the Adobe PDF pagination of the documents produced.

(3) organization and management; (4) past performance; and (5) price. *Id.* at 49-51. The non-price factors were of equal importance, and, when combined, were significantly more important than price. *Id.* at 49.

As relevant here, under the organization and management factor, the solicitation provided for the evaluation of “the overall organizational structure and résumés for key personnel as submitted with focus on experience and expertise in work within the scope of the [multiple award task order contracts (MATOC)].” *Id.* at 50. The RFP instructed offerors to submit “an organizational chart and/or summary of the overall company organizational structure, from principle/ownership level to field level” and “provide résumés for staff members for each of the following key positions[:]” project manager, site superintendent, quality control manager, and safety officer. *Id.* at 43.

The Forest Service received proposals from 36 offerors, including the protester. AR, Exh. 5, SSD at 1. The agency assigned Guardian’s proposal the following ratings:

Factor	Guardian
Experience and Capabilities	Confidence
Geographic Awareness and Familiarity	Confidence
Organization and Management	Low Confidence
Past Performance	High Confidence

AR, Exh. 6, Guardian Evaluation Sheets at 2-5. Under the organization and management factor at issue in this protest, the Forest Service explained that Guardian’s rating of low confidence was warranted because its proposal included a “general summary of background” experience rather than the required résumés. *Id.* at 4. The agency also observed that Guardian did not identify either a safety officer or a quality control manager in the proposal. *Id.* Last, the agency noted that the project manager was not specifically identified, but that the “[o]wner has a role in ensuring projects are successful and the director of operations notes project management skills.” *Id.*

The agency selected 26 firms for MATOC awards. Contracting Officer’s Statement (COS) at 1. Each awardee received a rating of confidence or higher for each of the non-price factors.² *Id.*

On June 27, 2025, the Forest Service notified Guardian that it had not received an award. Protest exh. Unsuccessful Offeror Letter. The agency advised Guardian that its

² For the non-price factors, the confidence ratings were high confidence, confidence, or low confidence. RFP at 50-51.

“proposal lacked the information required for Factor 3, Organization and Management” because it did not submit résumés for any individuals. *Id.* Guardian requested a debriefing, which the agency provided over the phone and stated “if only you had included résumés.” Comments at 4. This protest followed.

DISCUSSION

The protester makes two challenges to the agency’s evaluation of its proposal under the organization and management factor. Guardian argues that the contents of its proposal met the solicitation’s “vague” requirements for key personnel résumés.³ Dkt. No. 1 (comments to protest filing). Guardian also contends that “any changes to personnel after award are material,” which is a challenge to the absence of solicitation language restricting personnel substitution after award. *Id.* As explained below, we find no basis on which to sustain the protest.

In reviewing a protest challenging an agency’s evaluation, our Office will not reevaluate proposals, nor substitute our judgment for that of the agency, as the evaluation of proposals is a matter within the agency’s discretion. *BES Fed. Sols. JV, LLC*, B-420550, B-420550.4, May 11, 2022, 2022 CPD ¶ 116 at 4. Rather, we will review the record only to determine whether the agency’s evaluation was reasonable and consistent with the stated evaluation criteria and with applicable procurement statutes and regulations. *Id.* A protester’s disagreement with reasonable evaluation judgments does not provide a basis to sustain its protest. *Id.* Moreover, an offeror bears the burden of submitting an adequately written proposal that contains all the information required under a solicitation. *RIVA Sols., Inc.*, B-418408, Mar. 31, 2020, 2020 CPD ¶ 133 at 4. Where a proposal omits, inadequately addresses, or fails to clearly convey required information, the offeror runs the risk of an adverse agency evaluation. *Adino Inc.*, B-412144, Dec. 24, 2015, 2016 CPD ¶ 7 at 6.

The record demonstrates that the agency’s evaluation of Guardian’s proposal was reasonable. As noted above, under the organization and management factor, the RFP instructed offerors to provide résumés for staff members for each of the following key positions: project manager; site superintendent; quality control manager; and safety officer. RFP at 43. The RFP indicated that offerors would be evaluated on experience and expertise performing work within the scope of the MATOC. *Id.* at 50. The scope of the contract includes various kinds of road and bridge construction work, such as construction, restoration, decommissioning, and maintenance. *Id.* at 7.

³ Guardian’s protest filing consisted of two documents (the unsuccessful offeror letter and Guardian’s proposal) and the following comment: “As the Offeror, we contend that the contents in Factor 3 Key Personnel as presented in the proposal meets the vague requirements as stated in the RFP Page 50 Factor 3 for resumes. We contend that any changes to personnel after award are material.” Electronic Protest Docketing System (Dkt.) No. 1.

Guardian's proposal did not include the four required key personnel; rather, the proposal included information for a site supervisor, and the owner and a director of operations, both of whom were identified as having project management experience.⁴ AR, Exh. 4, Guardian Proposal at 10-11. Guardian did not submit a résumé for the quality control manager or the safety officer. The agency assessed Guardian a rating of low confidence and noted that Guardian did not identify a quality control manager or a safety officer. AR, Exh. 6, Guardian Evaluation Sheets at 4. The agency also noted that the personnel information in Guardian's proposal was general and not specific to the specific MATOC construction work. *Id.*; see also COS at 2.

Guardian contends that the information in its proposal for its key personnel was sufficient to meet the solicitation requirements. Dkt. No. 1; Comments at 1-2. In this connection, Guardian argues that the solicitation does not require offerors to propose any key personnel other than a site superintendent and does not advise offerors that they "will be penalized for not employing a Safety Officer, Project Manager, or a Quality Control Manager." Comments at 2. Guardian also argues the solicitation does not require a specific résumé format. *Id.*

The record supports the reasonableness of the Forest Service's evaluation. Guardian misinterprets the solicitation requirements; the RFP clearly identified four key positions for which résumés were required (project manager; site superintendent; quality control manager; and safety officer). While we agree with Guardian that a specific résumé format was not required, the record shows that the agency did not penalize Guardian for formatting. Rather, the agency reasonably determined that the information that was provided was insufficient. In this regard, the protester's proposal did not identify individuals for the safety officer and quality control manager positions at all.

In addition, as the contracting officer points out, the proposal did not describe the road and bridge construction experience of the individuals proposed for the other key positions. COS at 2. As noted above, an offeror bears the burden of submitting an adequately written proposal that contains all the information required under a solicitation. *RIVA Sols., Inc., supra* at 4. Where a proposal omits, inadequately addresses, or fails to clearly convey required information, the offeror runs the risk of an adverse agency evaluation. *Adino Inc., supra* at 6. The solicitation advised that offerors would be evaluated on how the key personnel résumés focused on the experience or expertise of work related to the MATOC. RFP at 50. In this regard, the MATOC work involves "heavy civil and highway construction." RFP at 7; COS at 2. Guardian's proposal did not describe experience with "road or bridge construction work" for any of the individuals proposed. COS at 2. In sum, we conclude the agency reasonably evaluated Guardian's proposal under the organization and management factor and deny this protest ground.

⁴ The agency noted that Guardian did not clearly identify a project manager but that the "Owner has a role in ensuring projects are successful and the director of operations notes project management skills." AR, Exh. 6, Guardian Evaluation Sheets at 4.

Next, we turn to Guardian's complaint that "any changes to personnel after award are material." Dkt. No. 1. Guardian argues in this regard that an offeror could propose key personnel who would be evaluated as "scor[ing] high marks without [the] obligation for any of these personnel ever having to perform on any task order," which it contends is unreasonable. Comments at 3.

As we understand the protester's argument, it is objecting to the absence of language in the solicitation placing restrictions on the substitution of personnel after award. Such a complaint is essentially an objection to the terms of the solicitation. Our Bid Protest Regulations contain strict rules for the timely submission of protests and our timeliness rules specifically require that a protest based upon alleged improprieties in a solicitation that are apparent prior to the closing time for receipt of initial proposals be filed before that time. 4 C.F.R. § 21.2(a)(1); see *AmaTerra Envtl. Inc.*, B-408290.2, Oct. 23, 2013, 2013 CPD ¶ 242 at 3. To be timely, Guardian was required to raise its concerns about the solicitation terms for proposed key personnel before the initial closing date for proposals. As the protester challenged the key personnel solicitation terms after receiving notification that it was not awarded one of the MATOCs, we dismiss this protest allegation as untimely.

The protest is denied.

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General Counsel