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# Decision

**Matter of:** Bailey's Premier Services, LLC

**File:** B-423066.3

**Date:** April 15, 2026

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Colonel Justin A. Silverman, Geoffrey R. Townsend, Esq., Major Princess Gaye, and Alexander S. Hall, Esq., Department of the Air Force, for the agency.

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## DIGEST

Protest challenging the agency's evaluation of the protester's proposal is denied where the evaluation was reasonable and in accordance with the terms of the solicitation.

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## DECISION

Bailey's Premier Services, LLC, a small business of Fort Worth, Texas, protests its non-selection for a multiple-award indefinite-delivery, indefinite-quantity (IDIQ) contract under request for proposals (RFP) No. FA810824RB001, issued by the Department of the Air Force for maintenance services. The protester argues that the agency unreasonably evaluated its proposal.

We deny the protest.

## BACKGROUND

The agency issued the solicitation on June 24, 2024, in accordance with Federal Acquisition Regulation (FAR) part 15 and FAR subpart 16.5. Contracting Officer's Statement (COS) at 2; Agency Report (AR), Tab 8, RFP at 3.<sup>1</sup> The RFP sought

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<sup>1</sup> The solicitation was amended four times. COS at 7. All citations are to the most updated versions of the solicitation.

maintenance services in support of the Contractor Field Team (CFT) program, which provides Department of Defense entities and other federal agencies with “the ability to rapidly augment existing organic maintenance efforts with contract maintenance services using the CFT Labor Augmentations Support Requirements (LASR) [IDIQ] [c]ontract.” AR, Tab 9, Performance Work Statement at 6. The solicitation anticipated the award of multiple CFT LASR IDIQ contracts with a base ordering period of five years and one 5-year option ordering period. AR, Tab 3, Source Selection Plan at 4. The solicitation provided for the issuance of task orders under the CFT LASR IDIQ contract vehicle in two different pools: a full and open competition pool, and a pool set aside for small businesses. AR, Tab 15, RFP amend. 0002 Section L at 1. The solicitation instructed offerors to indicate the pool for which they were competing, with small businesses eligible to compete in both pools. *Id.* at 2.

The solicitation provided for award “utilizing the Highest Technically Rated Offerors (HTRO) Minimum Technical Threshold Rating (MTTR) approach.” AR, Tab 16, RFP amend. 0002 Section M at 1. The RFP established that the agency would evaluate three factors: certification, technical, and past performance. *Id.* at 3. The solicitation specified that the technical factor included two subfactors: an HTRO self-scoring matrix, and a small business participation commitment document (SBPCD). *Id.* To be eligible for award, the RFP required that offerors’ proposals be rated acceptable under the certification factor, have a validated self-score at or above the minimum technical threshold rating of 40,000 points under the HTRO self-scoring matrix subfactor, be rated acceptable under the small business participation commitment document subfactor, and be rated acceptable under the past performance factor. *Id.* at 6.

The RFP provided for a multi-step evaluation process. In the first step, the RFP advised that proposals would be evaluated on a pass/fail basis, considering whether offerors provided a current copy of the certification required by the solicitation. AR, Tab 16, RFP amend. 0002 Section M at 4, 6. Offerors rated as acceptable under this first step would then have their proposals evaluated under the technical subfactors. *Id.* at 4.

In the next step, under the technical factor, HTRO self-scoring matrix subfactor, the RFP required offerors to submit a self-rated score; the solicitation established a minimum technical threshold rating of 40,000 points that offerors needed to meet or exceed to be eligible for award. *Id.* at 4-5. The point scores were based on the extent of an offeror’s prior relevant work. *Id.* at 6. Offerors had to provide work samples of previous contracts or task orders and accompanying narratives, which the agency would use to validate offerors’ self-scores. AR, Tab 15, RFP amend. 0002 Section L at 9-10; AR, Tab 16, RFP amend. 0002 Section M at 4.

Proposals with a validated score at or 40,000 points would then be evaluated under the technical factor, small business participation commitment document subfactor. Under this subfactor, the solicitation provided for proposals to be evaluated on a pass/fail basis for the “extent of [their] proposed participation/commitment to use of U.S. small businesses in the performance of this acquisition.” AR, Tab 16, RFP amend. 0002 Section M at 6. The solicitation required offerors to, at a minimum, provide an approach

demonstrating this commitment and--as relevant here--to submit a completed SBPCD. *Id.* Specifically, the solicitation instructed that “[a]ll offerors, both small business and other than small businesses[,] shall submit a completed Small Business Participation Commitment Document (SBPCD)” to be included in the technical volume. AR, Tab 15, RFP amend. 0002 Section L at 4, 10.

As relevant here, the RFP advised that “[t]he [t]echnical volume shall be written on a stand-alone basis so that its contents may be evaluated without cross-referencing to other volumes of the proposal.” *Id.* at 5. The solicitation further cautioned offerors that “[i]nformation required for the technical proposal evaluation, which is not found [in] the [t]echnical volume, will be assumed to have been omitted from the proposal, and will not be considered in the technical evaluation.” *Id.* Moreover, the RFP specifically warned that “where an offeror fails to provide a complete SBPCD document as part of the offeror’s proposal,” the agency would determine that the proposal “does not meet the requirements” and deem it technically unacceptable. AR, Tab 16, RFP amend. 0002 Section M at 5.

Proposals with a rating of acceptable under the small business participation commitment document subfactor would then proceed to the next steps: a past performance evaluation<sup>2</sup> and, ultimately, an award decision. *Id.* In sum, only offerors with technically acceptable proposals under all three evaluation factors and a validated self-score at or above the 40,000 point minimum technical threshold rating would be eligible for award.

The agency received 26 proposals by the January 22, 2025 due date for proposals. COS at 7; AR, Tab 18, RFP amend. 0003 at 2. The agency found that Bailey’s proposal did not meet the solicitation requirements under the small business participation commitment document subfactor because the protester “failed to submit a completed Small Business Participation Commitment Document (SBPCD) as required by [the solicitation.]” AR, Tab 24, Bailey’s Technical Worksheet at 4. The evaluators recognized that the protester had included the document in a separate volume<sup>3</sup> but pointed to the solicitation requirements for the document to be included in the technical volume--that is, the language advising that “[t]he [t]echnical volume shall be written on a stand-alone basis so that its contents may be evaluated without cross-referencing to other volumes of the proposal” and cautioning offerors that “[i]nformation required for the technical proposal evaluation, which is not found in the [t]echnical volume, will be assumed to have been omitted from the proposal, and will not be considered in the technical evaluation.” *Id.* (quoting AR, Tab 15, RFP amend. 0002 Section L at 5). As a

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<sup>2</sup> Under the past performance factor, evaluators would consider recency, relevancy, and performance quality; proposals would be rated as either acceptable or unacceptable. AR, Tab 16, RFP amend. 0002 Section M at 7-9.

<sup>3</sup> The protester included the document in its fourth volume, which the solicitation specified was for certain contract documentation. See AR, Tab 15, RFP amend. 0002 Section L at 13-15.

result, the agency determined that Bailey's proposal did not meet the solicitation requirements under the solicitation's SBPCD subfactor, assigned a rating of unacceptable to the protester's proposal under that subfactor, and concluded that Bailey's proposal was ineligible to be evaluated any further. *Id.*; AR, Tab 25, Source Selection Decision Document (SSDD) at 8-9.

On January 26, 2026, the Air Force notified Bailey's that it was an unsuccessful offeror. AR, Tab 26, Notice of Award at 1. That same day, the protester requested a debriefing, which the agency provided via email on January 30 and discussed with the protester via telephone on February 2. COS at 8-9; AR, Tab 27, Req. for Debriefing at 1; AR, Tab 28, Debriefing Email at 1. On February 2, Bailey's filed this protest with our Office.<sup>4</sup>

## DISCUSSION

Bailey's argues that the agency failed to evaluate its proposal in accordance with the requirements of the solicitation under the technical factor, small business participation commitment document subfactor.<sup>5</sup> Specifically, the protester argues that it included all of the substantive information in its technical proposal that was necessary to demonstrate its commitment to small business participation in the performance of the contract at issue. Amended Protest at 10; see Protest at 1. The protester contends that, in its technical volume, it listed all the "'featured' elements of the SBPCD not already obvious elsewhere" in its technical proposal, such as its business certification categories. Comments at 3; see Amended Protest at 13. The protester acknowledges that it did not submit the completed SBPCD in its technical volume; however, Bailey's states that it did include such a document in a different volume of its proposal and asserts that the agency unreasonably ignored this inclusion, failing to consider Bailey's proposal "as a whole." Amended Protest at 15-16. In sum, the protester argues that it included the required small business participation commitment document in its proposal "both in form and in substance." Comments at 1.

The agency responds that it reasonably excluded the protester's proposal from consideration for award based on the protester's failure to meet the solicitation requirement to submit a completed SBPCD in the technical volume of the proposal.

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<sup>4</sup> Under our Bid Protest Regulations, a document is filed on a particular day when it is received in the Electronic Protest Docketing System by 5:30 p.m., Eastern Time. 4 C.F.R. § 21.0(g). Because Bailey's filed its initial protest on Sunday, February 1, at 10:36 p.m., it is therefore considered filed on the next business day, Monday, February 2. The protester initially opted to proceed *pro se*, that is, without counsel. After submitting its initial protest, Bailey's subsequently retained counsel and filed an amended protest on February 9 that expanded upon its initial protest arguments.

<sup>5</sup> In its various protest submissions, Bailey's has raised arguments that are variations of those specifically discussed below. While we do not specifically address all of the protester's arguments, we have considered them and conclude that they do not provide a basis to sustain the protest.

Memorandum of Law at 10-12. The agency points to the solicitation language instructing offerors to submit a technical volume that could be evaluated on a stand-alone basis without cross-referencing to other volumes of the proposal--in other words, "all offerors, including Bailey's, were on notice that the Agency would only consider the contents of the [technical] volume [ ] when evaluating offerors['] technical proposals." *Id.* at 12. The Air Force argues that, because the protester did not include the SBPCD in the technical volume of its proposal, the agency--in accordance with the terms of the solicitation--reasonably concluded that the document had been omitted and excluded Bailey's proposal from further consideration for award. *Id.*

In reviewing protests of alleged improper evaluations, it is not our role to reevaluate proposals; rather, we will examine the record to determine whether the agency's judgment was reasonable and consistent with the stated evaluation criteria and applicable procurement laws and regulations. See *SysVets, LLC*, B-415694, Feb. 13, 2018, at 3-4. In this regard, an offeror has the burden of submitting an adequately written proposal, and where a proposal omits, inadequately addresses, or fails to clearly convey required information, the offeror runs the risk of an adverse agency evaluation. *Id.* at 4. A protester's disagreement with the agency's evaluation, without more, is insufficient to demonstrate that the evaluation was unreasonable. *EEC-Lukos JV, LLC*, B-423464.2, B-423464.3, Jan. 27, 2026, at 8.

On this record, we conclude that the agency reasonably rejected Bailey's proposal from consideration for award because it failed to comply with the solicitation requirements. The solicitation specifically advised offerors that "[t]he [t]echnical volume shall be written on a stand-alone basis so that its contents may be evaluated without cross-referencing to other volumes of the proposal." AR, Tab 15, RFP amend. 0002 Section L at 5. The RFP further warned that "[i]nformation required for the technical proposal evaluation, which is not found [in] the [t]echnical volume, will be assumed to have been omitted from the proposal, and will not be considered in the technical evaluation." *Id.* Finally, under the technical factor, small business participation commitment document subfactor, the solicitation required offerors to submit a completed SBPCD in the technical volume of their proposals. AR, Tab 16, RFP amend. 0002 Section M at 6.

The record shows, and the protester does not dispute, that it failed to include a completed SBPCD in the technical volume of its proposal. AR, Tab 24, Bailey's Technical Worksheet at 4; see Amended Protest at 10. As a result, the agency assigned a rating of unacceptable to the protester's proposal under the SBPCD subfactor and concluded that Bailey's proposal was ineligible to be evaluated any further. AR, Tab 25, SSDD at 8-9. By disregarding the solicitation's requirements under the SBPCD subfactor--namely, by failing to include the completed SBPCD in its technical volume and instead placing that document in a different volume--the protester assumed the risk of an adverse agency evaluation. See *SysVets, supra* at 4.

Further, the protester's assertion that it included the required document "both in form and in substance" constitutes disagreement with the agency's evaluation that is insufficient to demonstrate that the evaluation was unreasonable. Comments at 1; see

*EEC-Lukos JV, supra*. In this regard, we find the decision the protester cites in support of its disagreement with the agency's evaluation--*McCann-Erickson USA, Inc.*, B-414787, September 18, 2017--to be distinguishable from the facts presented here. See Comments at 6.

In *McCann-Erickson*, the agency eliminated the protester's proposal from consideration for award based on findings related to the protester's alleged noncompliance with the solicitation's proposal instructions. *McCann-Erickson, supra* at 10. We sustained the protest, finding that the agency's review of the protester's proposal was not consistent with the terms of the solicitation in light of the fact that "nothing in the RFP's evaluation criteria advised offerors that the agency would perform a preliminary, pass/fail compliance check of proposals to determine whether the offerors had complied strictly with the solicitation's proposal preparation instructions." *Id.* at 3-4. Further, we found that the informational concerns identified by the agency "either were based on errors made by the agency in its cursory review of the [protester's] proposal, or related to minor matters that easily were correctible through clarifications." *Id.* at 5.

The situation in *McCann-Erickson* is not comparable to the protest at issue here for multiple reasons. First, unlike *McCann-Erickson*, the solicitation here provided for proposals to be evaluated on a pass/fail, acceptable/unacceptable basis under the small business participation commitment document subfactor. AR, Tab 16, RFP amend. 0002 Section M at 6-7. Further, as previously stated, the RFP explicitly required offerors both to include the completed SBPCD in the technical volume and to write the technical volume on a stand-alone basis, to be evaluated without cross-referencing to other proposal volumes. *Id.* at 6; AR, Tab 15, RFP amend. 0002 Section L at 5. Moreover, as previously indicated, the RFP specifically warned that "where an offeror fails to provide a complete SBPCD document as part of the offeror's proposal," the agency would determine that the proposal "does not meet the requirements" and deem it technically unacceptable. AR, Tab 16, RFP amend. 0002 Section M at 5.

On these facts, the agency here evaluated the protester's proposal in accordance with the explicitly-written solicitation requirements, unlike in *McCann-Erickson*, where we found that the solicitation did not provide for any type of pass/fail compliance evaluation. See *McCann-Erickson, supra* at 3-4. Here, the agency evaluated the protester's proposal in accordance with the solicitation requirements clearly specified as a basis for proposal evaluation under the technical evaluation, small business participation commitment document subfactor.

Further, on this record, the agency's evaluation was not based on errors, like in *McCann-Erickson*. See *McCann-Erickson, supra* at 5. Rather, there is no dispute that the protester failed to include the completed SBPCD in its technical volume. Instead, the protester's argument amounts to disagreement with the agency's evaluation and relies on the unsupported suggestion that the agency should have waived the protester's failure to fully comply with the solicitation requirements. See Amended Protest at 10-13. Accordingly, we conclude that the protester has failed to show that the Air Force's evaluation of its proposal was unreasonable.

The protest is denied.

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General Counsel