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Decision

Matter of: Sawdey Solution Services, Inc.

File: B-424585.2

Date: October 22, 2026

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DIGEST

1. Solicitation provision that offerors must meet certain security clearance requirements at the time of proposal submission does not unduly restrict competition where the requirements are reasonably related to the agency's needs.
 2. Protester's assertion that the solicitation is ambiguous reflects the protester's misunderstanding of the solicitation provisions and security clearance requirements and therefore is unreasonable.
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DECISION

Sawdey Solution Services, Inc., of Beavercreek, Ohio, protests the terms of request for proposals (RFP) No. FA7014-26-R-0024, issued by the Department of the Air Force, to provide advisory and assistance support services. Sawdey asserts that the solicitation is unduly restrictive of competition because it requires that offerors comply with certain security clearance requirements at the time of proposal submission, and further complains that the solicitation contains alleged ambiguities. Protest at 5-9.¹

We deny the protest.

BACKGROUND

¹ The page numbers referenced in this decision are the Adobe PDF page numbers for the various pleadings and documents submitted.

On May 8, 2026, pursuant to the procedures in subpart 16.5 of the Revolutionary Federal Acquisition Regulation Overhaul (RFO), the agency issued the solicitation to contractors holding General Services Administration's (GSA) One Acquisition Solution for Integrated Services Plus contracts, seeking proposals to provide highly-sensitive support services.² The solicitation requires that, at the time of proposal submission, offerors must hold "an active facility clearance level of TOP SECRET with safeguarding at SECRET," and states that any offeror that does not meet these requirements will be ineligible for award. AR, Tab 8c, RFP Sections L & M at 4-5, 15. In this context, the solicitation notes that the contractor will receive a "Government-provided SIPRNet [secret internet protocol router network] remote-accessible laptop authorized solely for after-hours APACS [aircraft and personnel automated clearance system] help desk support and in extremis situations," and also provides that the contractor must be "capable of hosting meetings, conferences, and other events at its facility at the Secret level." AR, Tab 8b, PWS at 52-53. Finally, the solicitation established a June 16 closing date for submission of proposals. AR, Tab 8a, RFP amend. 0003 at 1.

On June 15, the agency prepared a memorandum that discussed the bases for the solicitation's security clearance requirements, including the agency's review of "immediate classified operational requirements" and "significant schedule risks." AR, Tab 9, Basis for Requirement at 2. Specifically, the agency stated:

The [contract at issue] supports critical national security portfolios, including Arms Control Treaties, Countering Weapons of Mass Destruction (CWMD), and the Nuclear Enterprise. To ensure seamless execution, the contractor must have access to classified information and systems immediately upon contract award (Day 1 of transition and performance). Specifically, PWS Section 1.1.4.1 requires the contractor to secure and operate a Government-provided, remote-accessible SIPRNet laptop at their corporate facility to support the 24/7 Foreign Clearance

² More specifically, the solicitation states:

Headquarters Department of the Air Force (DAF/A10) provides Strategic Deterrence and Nuclear Integration. The purpose of this effort is to provide expert technical, analytical, operational, programmatic, and planning support for DAF/A10 and its component divisions. All work performed shall support DAF national security strategic plans, policies, concepts, and initiatives. The Contractor support provided will cover International Affairs and Foreign Policy, CWMD [countering weapons of mass destruction] and Biodefense, the Nuclear Enterprise, Legislative Support, Emerging Deterrence Issues Research and DAF Deterrence Education (revised 06 April 2026), Integrated Air and Missile Defense, Ancillary Support and Program Management, or other tasks (as modified) within DAF/A10's mission set.

Agency Report (AR), Tab 8b, Performance Work Statement (PWS) at 4.

Program (FCP) and APACS help desk. The secure GSA-approved safe and restricted area required to store this classified hardware must be fully accredited and operational on Day 1.

. . . Sponsoring an uncleared contractor for a new FCL [facility clearance] or physical safeguarding certification through the Defense Counterintelligence and Security Agency (DCSA) is a lengthy, unpredictable administrative process.^[3] A new SECRET FCL and safeguarding accreditation typically takes several months to complete, while a TOP SECRET FCL can exceed a year. The Department of the Air Force (DAF) cannot tolerate any gap in mission capability, operational support, or security oversight on these high-priority portfolios while waiting for an uncleared or un-accredited awardee to obtain the necessary clearances and safeguarding approvals.^[4]

Id. at 1.

On June 16, prior to the time set for submission of proposals, Sawdey filed its first protest with our Office, asserting that the security clearance requirements were overly restrictive and complaining that the solicitation was ambiguous regarding whether a proposed subcontractor's compliance with the requirements (without compliance by the prime contractor) would be sufficient to make the proposal eligible for award.⁵ AR, Tab 11, Initial Protest at 4-7. Sawdey also asserted that the terms of the solicitation "introduce[] further confusion" because they require the contractor to "host SECRET-level meetings in the facility, which would require a SCIF [sensitive compartmented information facility]." *Id.* at 6 n.18.

On July 6, the agency submitted a notification of corrective action, stating that it would "amend the solicitation to clarify its requirements." AR, Tab 12, Notice of Corrective Action at 1. Accordingly, we dismissed Sawdey's initial protest. *Sawdey Sol. Servs., Inc.*, B-424585, July 8, 2026 (unpublished decision).

³ DCSA is responsible for issuing and monitoring facility clearances for defense contractors. See 32 C.F.R. part 117.

⁴ In documenting its basis for the requirement, the agency also noted that "market research conducted prior to solicitation release confirms a highly robust pool of qualified, pre-cleared . . . offerors," adding that "[m]ultiple prospective prime contractors already possess the active SECRET (or TOP SECRET) FCL and active SECRET Safeguarding capabilities necessary to meet this requirement on Day 1." AR, Tab 9, Basis for Requirement at 1-2.

⁵ Sawdey states that it submitted a proposal in which it offered a subcontractor with the required clearances to perform the "portion of the Solicitation that required the SECRET safeguarding approval." Protest at 6-7.

On July 9, the agency issued a solicitation amendment stating that, consistent with the evaluation criteria in section M of the solicitation, compliance with the security requirements by the prime contractor--not just a proposed subcontractor--was required.⁶ AR, Tab 14a, RFP amend. 0004; AR, Tab 14b, Corrected Questions and Answers (Q&As) at Question 115; see AR, Tab 8c, RFP Sections L and M at 4-5, 15. Additionally, the agency noted that “the solicitation period is closed” and stated that proposal revisions would not be permitted. AR, Tab 14b, Corrected Q&As at Question 115. On July 20, Sawdey filed this protest.⁷

DISCUSSION

Sawdey protests that the solicitation’s security clearance requirements are overly restrictive and also complains that the clearance requirements continue to reflect ambiguity. As discussed below, we find no merit in any of Sawdey’s allegations.

Security Clearance Requirements

First, Sawdey asserts that the requirement that an offeror meet the solicitation’s security clearance requirements at the time of proposal submission is unduly restrictive because approval by DCSA requires a “*current* operational requirement”--which will not exist until after the contract has been awarded; thus, participation in the procurement is improperly limited to offerors that currently hold the required approvals. Protest at 5-6. Sawdey asserts that eligibility to participate in the procurement should be extended to “a vendor with the capability to quickly obtain the safeguarding approval post-award.” *Id.* at 5. In this context, Sawdey’s protest asserts that Sawdey is “on the doorstep” of approval, maintaining that it is “assured” of being able to meet the requirements “prior to commencement of the work.” *Id.* at 6. Following receipt of the agency report responding to its protest, Sawdey adjusted its representation to state that it would “certainly have the required safeguarding certification well in advance of the end of the 30-day transition period,”⁸ asserting that “any time within the 30-day transition period

⁶ The agency notes that the National Industrial Security Program Operating Manual (NISPOM), “the federal regulation that sets the standards for protecting classified information distributed to government contractors,” mandates that “a prime contractor possess a facility security clearance at a level equal to or higher than the classified work being performed, even if that work is entirely delegated to a subcontractor.” Memorandum of Law (MOL) at 4-5; see 32 C.F.R. § 117.9(a)(5).

⁷ The agency states that the total price of the predecessor contract was \$103 million, Contracting Officer’s Statement (COS) at 2; accordingly, it is anticipated that the value of this task order procurement will exceed \$10 million. On this record, the protest is within our Office’s jurisdiction. 41 U.S.C. § 4106(f)(1)(B); see *Sumaria Sys., Inc.*, B-418796, Sept. 9, 2020, at 4 n.8.

⁸ The solicitation’s PWS provides for a “Transition-In period” that “shall conclude within 30 days of project start”--and requires that, following award, the awardee must submit a “Transition-In Plan” to ensure “minimum service disruption.” AR, Tab 8b, PWS at 56-57.

would be sufficient to meet the Agency's needs." Comments at 2, 5. Finally, Sawdey complains that the solicitation requirement that offerors comply with the security clearance requirements at the time of proposal submission "falls flat" because Sawdey's proposed subcontractor holds the necessary approvals and should be considered as an alternative to make Sawdey eligible for award. Protest at 5-6.

In response, the agency first points out the highly-sensitive nature of the contract requirements relating to national security, noting that the contractor will be required to provide support in areas including "International Affairs and Foreign Policy, Countering Weapons of Mass Destruction and Biodefense, [and] the Nuclear Enterprise" and will be required to "provide comprehensive support to the Foreign Clearance Program (FCP) across the full range of policy, operational, and technical activities." COS at 6; see AR, Tab 8b, PWS at 4, 14. More specifically, the agency points out that the contractor will be required to secure and operate a SIPRNet laptop, "which requires the existence of a GSA-approved restricted area within the contractor's facility that is both fully accredited and operational on day 1 of contract performance." COS at 6. The agency further notes that Sawdey cannot provide any guarantee that it will succeed in "quickly" obtaining the required approvals; additionally, even if Sawdey's projections were accurate, relaxing the solicitation requirements to accommodate Sawdey would "open the door" to other offerors who are not "on the doorstep" of gaining approval, thereby exposing the agency to an unacceptable level of risk that the awardee will be unable to perform all of the contract requirements. *Id.* at 7.

With regard to Sawdey's assertions that the solicitation should permit a subcontractor with the appropriate clearance to establish eligibility for the prime contractor, the agency notes that custody of the SIPRNet laptop will be given to the prime contractor, with whom the agency has privity of contract--not to the subcontractor, with whom the agency does not. COS at 7-9. Further, as noted above, the agency explains that the applicable regulations expressly preclude this approach. *Id.*; see MOL at 4-5; 32 C.F.R. § 117.9(a)(5).

In summary, the agency maintains that the solicitation requirement that an offeror comply with the security clearance requirements at the time of proposal submission reasonably reflects the agency's concerns regarding the risk associated with making award to a contractor that may be incapable of immediately beginning performance of all the contract requirements.

Where a protester challenges a solicitation requirement as unduly restrictive of competition, the procuring agency has the responsibility to establish that the requirement is reasonably necessary to meet the agency's needs. See *Streit USA Armoring, LLC*, B-408584, Nov. 5, 2013, at 4. In this regard, the determination of a contracting agency's needs and the best method for accommodating them is a matter primarily within the agency's discretion--and this discretion is expanded to permit the agency's achievement of the highest possible reliability or effectiveness when the acquisition relates to national defense. *Id.*; *Management & Tech. Servs. Alliance Joint Venture*, B-416239, June 25, 2018, at 2-3. In this context, our Office will review the

agency's stated justification to ensure that it is rational and withstands logical scrutiny. *Streit USA Armoring, LLC, supra*. For example, we have found that an agency's requirement for an offeror to possess required security clearances at the time of proposal submission is not unduly restrictive where the agency has concerns regarding potential performance delays. See, e.g., *Contract Servs., Inc.*, B-411153, May 22, 2015, at 2-5; *CompTech-CDO, LLC*, B-409949.2, Jan. 6, 2015, at 4-5; *Allied Protection Servs., Inc.*, B-297825, Mar. 23, 2006, at 2-3. Finally, the fact that a requirement may be burdensome or even impossible for a particular firm to meet does not make it objectionable if the requirement properly reflects the agency's needs. *Allied Protection Servs., Inc., supra*.

Here, we find no basis to question the reasonableness of the agency's justification for the solicitation requirements at issue. First, on the basis of the record discussed above, it is clear that the nature of the contract involves a contractor's handling of classified material that is directly related to national defense. Further, the record also supports the agency's position that Sawdey cannot guarantee how quickly it will, in fact, obtain the necessary approvals. Indeed, after asserting in its protest that it was "assured" of gaining the necessary approvals "prior to commencement of work," Protest at 6, Sawdey adjusted its projection to assert that it would be able to comply with the requirements "[before] the end of the 30-day transition period"--adding its conclusory opinion that meeting the requirements "any time within the 30-day transition period" will "meet the Agency's needs." Comments at 2, 5. Further, as the agency points out, relaxation of the solicitation requirements would expose the agency to even greater potential risk from other offerors with less potential for "quickly" obtaining the necessary approvals.

Finally, as discussed above, Sawdey's assertion that a subcontractor's compliance with the security clearance requirements should be considered sufficient to make Sawdey's proposal eligible for award is directly contrary to the applicable regulatory requirements. In short, we find no merit in any of Sawdey's assertions that challenge the agency's justification for the solicitation's security clearance requirements, and Sawdey's protest in this regard is denied.

Allegedly Ambiguous Requirements

Next, Sawdey renews the complaint it raised in its initial protest, alleging that the solicitation is ambiguous because it provides that "the contractor must be able to host meetings at their facility at the SECRET level, which would require a Sensitive Compartmented Information Facility ('SCIF')," noting that the requirement for a SCIF "was previously removed from the Solicitation."⁹ Protest at 4, 7-9. Accordingly, Sawdey asserts that the solicitation is ambiguous due to the alleged inconsistency between the requirement to host secret-level meetings and the absence of a requirement for a SCIF,

⁹ The agency states that the requirement for a contractor to possess a SCIF was removed by solicitation amendment 0001, which was issued in May 2026. COS at 10 n.3.

maintaining that “[n]ot knowing whether a SCIF is required . . . impairs Sawdey’s ability to intelligently compete.” *Id.* at 9-10.

The agency first responds that Sawdey’s assertions regarding an alleged ambiguity in the solicitation are “based on [Sawdey’s] fundamental misunderstanding of federal security regulations.” MOL at 7-8. More specifically, the agency responds that Sawdey’s “entire argument hinges on the false premise that hosting a SECRET-level meeting necessitates a SCIF”--and adds, “[t]his is wrong.” *Id.* at 8. The agency further explains that “[a] SCIF, governed by Intelligence Community Directive (ICD) 705, is a highly specialized and expensive facility required only for handling SCI materials, which involve sensitive intelligence sources and methods. A SCIF has extreme construction standards, including specific acoustic, radio frequency, and structural protections.” *Id.* The agency continues that, in contrast, hosting secret-level meetings or storing classified material as required under the solicitation is governed by the NISPOM and does not require a SCIF; rather, it “requires a DCSA-approved ‘Closed Area,’ which has far less stringent and costly construction standards focused on standard physical intrusion resistance.” *Id.*; see 32 C.F.R. §§ 117.3, 117.9(a)(7), 117.10(a)(iii), and 117.16(b)(3)-(4)(A). Accordingly, the agency maintains there is no inconsistency or ambiguity created by the solicitation’s requirement that the contractor host secret-level meetings without also requiring that the contractor’s facility contain a SCIF. MOL at 8-10.

Where a dispute exists over a solicitation’s meaning, our analysis begins with reviewing the plain language of the solicitation. *WingGate Travel, Inc.*, B-412921, July 1, 2016, at 6-7. In order for a protester to establish the existence of ambiguity, its interpretation and understanding of the solicitation’s requirements must be reasonable. See *Acuity Int’l, LLC*, B-422420.4, B-422420.5, Dec. 20, 2024, at 7-8. Where the protester’s assertions regarding an alleged ambiguity are unreasonable, our inquiry ceases. See *DAI Global, LLC*, B-416992, Jan. 17, 2019, at 4-5.

Here, based on our review of the record, we find unreasonable Sawdey’s assertion that the solicitation is ambiguous because it requires the contractor to hold secret-level meetings, but does not also require that the contractor’s facility contain a SCIF. In this regard, Sawdey does not contest any of the agency’s multiple references to applicable regulations demonstrating that--contrary to Sawdey’s protest assertion--a SCIF is *not* a requirement for a contractor to host secret-level meetings. Rather, in its comments on the agency report, Sawdey maintains that its protest references to a “require[d]” SCIF were intended to convey “a colloquial meaning of the term”; that is, “[r]ather than a true ‘Sensitive Compartmented Information Facility’ as set out in ICD 705,” Sawdey asserts that its protest references to a “SCIF” should be construed as references to a secure facility other than an “[o]rdinary conference room[],” asserting that the solicitation’s absence of a requirement for such a facility created ambiguity.¹⁰ Comments at 4.

¹⁰ To the extent Sawdey’s comments present new and previously unidentified allegations, those arguments are untimely and will not be considered. Where a
(continued...)

In our view, Sawdey's pleadings, including its allegation regarding a "require[d]" SCIF, support the agency's assertion that Sawdey's protest regarding alleged ambiguities in the solicitation is based on a "fundamental misunderstanding" of the applicable regulations. That is, Sawdey's purported confusion regarding the solicitation requirements reflects an alleged regulatory requirement that does not exist. In short, for the reasons discussed above, we view the agency's position regarding the absence of an ambiguity as reasonable; in contrast, we view Sawdey's protest as reflecting an inaccurate and unreasonable understanding of the solicitation requirements and applicable regulations. Accordingly, Sawdey's assertion that the solicitation is ambiguous is denied.

The protest is denied.

Edda Emmanuelli Perez
General Counsel

protester initially files a timely protest, and later supplements it with independent grounds for protest, the later-raised allegations must independently satisfy the timeliness requirements, since our Bid Protest Regulations do not contemplate the unwarranted piecemeal presentation or development of protest issues. See, e.g., *Catalyst Sols., LLC*, B-416804.3, B-416804.4, Apr. 4, 2019, at 4-5.