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Decision

Matter of: Unisys Corporation

File: B-406326, B-406326.2, B-406326.3

Date: April 18, 2012

Richard J. Webber, Esq., and Patrick R. Quigley, Esq., Arent Fox LLP, for the protester.

Richard J. Conway, Esq., and Michael J. Slattery, Esq., Dickstein Shapiro LLP, for HP Enterprise Services, LLC, the intervenor.

Scott C. Briles, Esq., and Robert L. Thomas, Esq., Department of Health and Human Services, for the agency.

Glenn G. Wolcott, Esq., Noah B. Bleicher, Esq., and Sharon L. Larkin, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

1. Agency's discussions were not misleading where the agency advised the protester that it believed the protester's proposed staffing was insufficient, further advised the protester that it had provided no justification for the staffing level it proposed, and finally noted that protester had not proposed any automation tools that might lead to staffing efficiencies.
 2. Agency's discussions were not unequal where the agency tailored the discussions to each offeror's proposal and, similar to the questions presented to the protester, the agency identified various aspects of the awardee's proposal that appeared to be inadequately staffed.
 3. Protester's complaints regarding the agency's evaluation of both protester's and awardee's technical proposals reflect mere disagreement with the agency's various judgments and provide no basis for sustaining the protest.
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DECISION

Unisys Corporation (UC), of Reston, Virginia, protests the award of a task order by the Department of Health and Human Services, Center for Disease Control (CDC) to HP Enterprise Services, LLC (HP) pursuant to request for task order proposals

(RFTOP) No. 2011-IT-0027 to provide information technology (IT) support services for CDC.¹ UC asserts that the agency conducted misleading and/or unequal discussions, that the agency misevaluated various aspects of HP's and UC's proposals, and that the agency's source selection process did not reasonably lead to the source selection decision.

We deny the protest.

BACKGROUND

In September 2011, the agency published the RFTOP at issue,² seeking proposals for a time-and-materials contract to combine services that are currently being provided separately by three teams working with CDC's legacy IT systems. More specifically, CDC's Operations Branch (OPB), within its IT Services Office, currently hosts more than 2,000 operating systems and more than 650 applications on more than 1,700 virtual and 1,300 physical servers. RFTOP at 5. IT support services for these servers and operating systems are currently provided by three separate teams referred to as: the Designated Server Sites (DSS), the Mid-Tier Data Center (MTDC), and the Consolidated SQL [structured query language] Server (ConSQL) teams. *Id.* at 4-5. UC is the incumbent contractor for the MTDC services.

The solicitation contemplated a 7-month base period and four 1-year option periods, provided for a best value trade-off between price and non-price evaluation factors, and established the following non-price factors: technical approach, management plan, staffing plan, similar experience, and transition/startup plan.³

The terms of the solicitation's performance work statement (PWS) identified various required tasks, and offerors' proposals were expected to identify the quantity of

¹ The RFTOP noted that CDC is responsible for promoting health and quality of life by preventing and controlling disease, injury, and disability; that CDC is an information intensive organization; and that its dependence on information technology and related services is essential to CDC's successful performance of its mission. Agency Report (AR), Feb. 9, 2012, Tab 5, RFTOP amend. 2, at 4-5.

² The RFTOP was provided to contractors that had previously been awarded multiple award indefinite-delivery indefinite-quantity contracts under CDC Information Management Services Contract No. 200-2010-37186.

³ The solicitation provided that, out of a possible 100 points for non-price factors, technical approach was worth 35 points, management plan was worth 20 points, and staffing plan, similar experience, and transition/startup plan were each worth 15 points. *Id.* at 54. Regarding evaluation of price, the solicitation provided that a price analysis "may be conducted to determine the reasonableness of the Offeror's price proposal." *Id.* at 57.

labor hours, labor categories, and applicable labor rates being proposed to perform each task. Id. at 6-27. In this regard, the solicitation provided an estimate of the required labor hours, by task, but also advised offerors as follows:

The Government is providing a reasonable estimate based on past need and work performed. This is an annual work load hourly estimate, based on past support within the [MTDC] and within the [DSS]. The Contractor should base their staffing proposal on the PWS requirements. Offerors are advised to conduct their own analysis of these requirements and propose amounts based on [their] own independent assessments. The purpose [of] workload history is to provide the historical hours worked for MTDC and DSS and is not intended to be binding on either party or to be the only possible solution to the requirement. The following is historical workload based on 1920 hours per year of labor hours. This information is not intended to limit a potential offeror's ability to submit alternative, innovate or creative methods of task performance.

Id. at 50-51.

On or before the October 2, 2011 closing date, proposals were submitted by four offerors, including UC and HP.⁴ Both UC's and HP's proposals offered staffing levels that were lower than the government's estimate.⁵ More specifically, UC's initial proposal reflected a total staffing level of [deleted] labor hours,⁶ and a total price of \$61,084,352.⁷ Protest, Jan. 9, 2012, at 7; UC Comments/Supp. Protest, Feb. 21, 2012, at 29; AR, Tab 8, UC Price Proposal, Vol. 2. HP's initial proposal offered a total staffing level of [deleted] labor hours and a total price of \$71,238,361. AR, Tab 20, HP Price Proposal, Vol. 2; SAR at 5.

⁴ The other two offerors' proposals were rejected by the agency as technically unacceptable and are not further discussed.

⁵ The government estimated a total of 1,016,400 labor hours to perform all tasks. Supplemental Agency Report (SAR), Mar. 12, 2012, at 4; AR, Tab 5, RFTOP amend. 2, at 26-27, 50-51.

⁶ UC states that it initially proposed staffing levels "below historical levels," and "proposed hourly rates that, for several classifications, decreased in option years." Protest at 8.

⁷ The summary sheet of UC's price proposal erroneously stated that the total price was [deleted]. AR, Tab 8, UC Price Proposal, at 1. There is no dispute that this figure fails to include the price UC proposed for the base contract period (which was reflected elsewhere in UC's price proposal) and that the properly calculated total price of UC's initial proposal was \$61,084,352. AR at 12.

By emails to each offeror dated November 2, the agency identified various weaknesses in each proposal, specifically questioning particular aspects of each offeror's proposed staffing approach. AR, Tab 10, Discussion Questions/Request for UC Revised Proposal, Nov. 2, 2011; SAR, Tab 3, Discussion Questions/Request for HP Revised Proposal, Nov. 2, 2011.

Following discussions, UC submitted a revised proposal that included substantially higher staffing levels, increasing its total proposed staffing to [deleted] labor hours for a total price of \$86,119,611.⁸ Protest, Jan. 9, 2012, at 7; UC Comments/Supp. Protest, Feb. 21, 2012, at 17. In contrast, HP responded to the agency's concerns by defending its proposed staffing approach, maintaining that for various reasons, it was capable of performing the contract requirements with staffing levels close to those it initially proposed. Specifically, HP's revised proposal offered essentially the same staffing levels as its initial proposal and a total price of \$71,884,603. AR, Tab 22, HP Revised Proposal, app. A.

The agency evaluated both offerors' final revised proposals with the following results.

| | Technical Score/Rating | Price |
|---------------|-------------------------------|--------------|
| HP | 64.50/Acceptable | \$71,884,603 |
| Unisys | 62.25/Acceptable | \$86,119,610 |

AR, Tab 15, Source Selection Decision, at 2.

Based on the agency's determination that HP's final revised proposal was technically superior and offered a lower price, HP's proposal was selected for award. This protest followed.

DISCUSSION

HP challenges various aspects of the agency's evaluation and source selection process, including assertions that the agency conducted misleading and/or unequal discussions, that the agency miscalculated various aspects of HP's and UC's respective proposals, and that the agency's source selection process did not reasonably lead to the source selection decision. As discussed below, we reject UC's assertions.

⁸ In its revised proposal, UC also increased its labor rates. Protest at 7.

Meaningful Discussions

UC first asserts that the agency misled UC during discussions by “inducing” UC to “needlessly” increase its proposed staffing levels, while permitting HP to retain lower staffing levels.⁹ Protest at 1, 7-8. The record does not support UC’s assertion.

It is fundamental that a procuring agency’s discussions with offerors must be meaningful and may not be misleading. See, e.g., The Boeing Co., B-311344 et al., June 18, 2008, 2008 CPD ¶ 114 at 49. That said, an agency need not “spoon-feed” an offeror by specifying a particular approach, nor is it required to effectively write an offeror’s proposal for the offeror by identifying each and every particular aspect of a proposal that could be improved. Rather, an agency must lead an offeror into the areas of its proposal that requires the offeror’s own input in the form of revisions, explanations, clarifications, or amplifications. See, e.g., L-3 Commc’ns Corp., BT Fuze Prods. Div., B-299227, B-299227.2, Mar. 14, 2007, 2007 CPD ¶ 83 at 19.

Here, in its discussions with UC, the agency provided the following detailed information with regard to weaknesses in UC’s initial proposal:

1. Total project cost on [UC’s] summary spreadsheet is incorrect as [UC] neglected to include the base period in its summary.
2. [UC] deviates from the government’s IGE [internal government estimate] for staffing projections, in some cases significantly. Starting [in] the base period, the government believes [UC’s] projection of [deleted] FTEs [full time equivalent] for task 3.1.7 – Application Hosting is insufficient. The government’s estimate was 51 FTEs. Over time, [UC] cuts this number to [deleted] [FTEs] by the end of OY1 [option year one] and [deleted] [FTEs] in OY2. [UC] holds this count steady from OY2 through the end of the contract. Unfortunately [UC] does not justify this reduction in staff. Nothing in its technical proposal indicates how [UC] would complete the tasks in the PWS with a [deleted] staff reduction for this task. No automation tools that might garner efficiencies in this area are noted or priced in [UC’s] proposal.
3. A number of [UC’s] labor categories see reduced rates over the course of this contract. Some examples: A database administrator’s starting rate in the base period is [deleted] per hour. By the end of OY4 it is [deleted]. Most other labor categories show similar decreases over time that the government finds unrealistic. Customarily there is an

⁹ UC initially asserted that the agency’s discussions were also misleading with regard to UC’s proposed labor rates, Protest at 7-8, but subsequently withdrew that allegation. UC Comments/Supp. Protest, Feb. 21, 2012, at 29.

escalation in labor rates over time. This refutes [UC's] claim it can attract and retain qualified staff and places project success at serious risk.

4. [UC] reduces staffing and comes under government estimates in other tasks as well. The most egregious is section 3.1.5 – Compliance. In the base period [deleted] staff members provide [deleted] hours. In OY1 only [deleted] staff member supplies [deleted] hours. From OY2 through OY4 [UC] supplies no labor for this task. In its pricing proposal, [UC] justifies this on page 2-3 in the first bullet under section 3.0 – Assumptions: “[UC] assumes that CDC OPB will want to obtain ISO 20000 certification under their names as soon as May 2013. Therefore we assume that current ISO leadership roles will be assumed by government staff with assistance from [UC] after the May 2012 annual audit. . . . [UC] will continue to provide significant support to CDC to ensure we maintain compliance with all ISO requirements for this certification.”] In its technical proposal, [UC] stressed it had looked at and understood the government’s organizational structure appendix. That appendix shows contractor staff supplying significant labor to the compliance section, doing more than just transferring the ISO certification to CDC. The government does not believe compliance needs can be met with no staff and refutes [UC's] assumption above that ISO certification and compliance can be satisfied with no contractor staff.

AR, Tab 10, Discussions Questions/Request for UC's Revised Proposal, at 10.

UC refers to the agency’s discussions in paragraph 1 above, which stated that “the Government believes [UC's] projection of [deleted] FTEs for task 3.1.7 – Application is insufficient,” maintaining that the agency’s use of the word “insufficient” effectively required UC to increase its proposed staffing level to the government estimate. Protest at 10. In this regard, UC asserts that, even though UC “continued to believe” its initial staffing was “adequate,” it would have been “foolish” for UC to attempt to justify its initially proposed staffing levels, and maintains that “the only rational action that [UC] could take” was to “propose an FTE level at or very close to the Government’s estimate.” *Id.* In this context, and in light of the agency’s ultimate acceptance of HP’s staffing levels, which were below the agency estimate (but substantially higher than UC’s initially proposed levels), UC maintains that the agency’s discussions with UC were misleading. We disagree.

First, we do not view the agency’s statement that it “believed” UC’s initially-proposed staffing was “insufficient” in any way precluded UC from explaining why the agency’s belief was not well founded. Directly following the agency’s observation that it believed the staffing was insufficient, the agency expressly advised UC that it had not justified its lower staffing—clearly communicating to UC that its revised proposal could, and should, include such justification, if it existed. Moreover, in

addition to suggesting that UC justify its staffing approach in its revised proposal, the agency went further and identified the specific form that such justification might take, referring to “automation tools that might garner efficiencies.” AR, Tab 10, Discussion Questions/Request for UC’s Revised Proposal, at 10. On this record, we find no merit in UC’s assertions that the agency’s discussions were “misleading” and that “the only rational action” was for UC to propose staffing that was “at or very close to the Government’s estimate.” Protest at 10.

In a similar vein, UC protests that the agency treated the offeror’s “unequally” with regard to discussions, asserting that the agency “apparently” did not question HP’s proposed staffing levels. Protest at 12. The record is to the contrary.

In connection with the requirement that discussions be meaningful, offerors may not be treated unequally; that is, offerors must be afforded equal opportunities to address the portions of their proposals that require revision, explanation, or amplification. However, the requirement for equal treatment does not mean that discussions with offerors must, or should, be identical. To the contrary, discussions must be tailored to each offeror’s own proposal. Federal Acquisition Regulation (FAR) §§ 15.306(d)(1), (e)(1); WorldTravelService, B-284155.3, Mar. 26, 2001, 2001 CPD ¶ 68 at 5-6.

Here, HP’s initial proposal contemplated a higher staffing level than the staffing level in UC’s initial proposal.¹⁰ Nonetheless, because HP’s staffing level was lower than the agency estimate, the agency’s discussions with HP did, indeed, include expressions of concern with regard to particular aspects of HP’s proposed approach. For example, the agency specifically questioned HP’s proposed staffing levels with regard to tasks [deleted] and task [deleted], stating, among other things, “[s]taffing reductions in task [deleted] are especially difficult to understand.” SAR, Tab 3, Discussion Questions/Request for HP’s Revised Proposal, at 7.

On this record, we reject as factually inaccurate UC’s assertion that the agency failed to question HP with regard to its proposed staffing levels. To the contrary, the record establishes that the agency, in fact, tailored its discussion questions to HP in a manner that sought HP’s responses to various aspects of its proposed staffing approach. Accordingly, we find no merit in UC’s assertion that the agency’s discussions were unequal.

¹⁰ As noted above, UC’s initial proposal reflected total staffing of [deleted] labor hours, while HP’s initial proposal reflected total staffing of [deleted] labor hours; that is, HP’s initial proposal contemplated nearly [deleted] percent more labor than UC’s initial proposal.

Evaluation of UC's Proposal

Next, UC asserts that the agency's evaluation of UC's proposal was unreasonable, asserting, among other things, that the agency's improper assessment of various weaknesses in UC's proposal resulted in an "inappropriately low technical rating." Protest at 13.

In reviewing protests challenging an agency's evaluation, our Office will not reevaluate proposals; rather, we will review the record to ensure that the agency's evaluation was reasonable and consistent with the terms of the solicitation. See GC Servs. Ltd. P'ship, B-298102, B-298102.3, June 14, 2006, 2006 CPD ¶ 96 at 6; RVJ Int'l, Inc., B-292161, B-292161.2, July 2, 2003, 2003 CPD ¶ 124 at 5. A protester's mere disagreements with a procuring agency's conclusions are insufficient to establish that the agency's judgments were unreasonable.

Here, in evaluating UC's initial proposal, the agency's technical evaluation panel (TEP) identified various weaknesses related to what it described as UC's "MTDC-centric" approach.¹¹ Because the contract will require performance of the activities that are currently being performed by all three legacy teams (that is, the MTDC, DSS and SQL Server teams), the TEP criticized UC's proposal for failing to adequately address, or demonstrate an understanding of, the non-MTDC requirements,¹² stating:

[UC] says it will [deleted], but its technical proposal does not specify how [UC] would [deleted]. [UC's proposal] shows [deleted], but does not tell how it would [deleted]. [UC] says it "will continue providing hosting and consolidated environments for the CDC Internet and Intranet presences under the new [task order] with the same level of

¹¹ As noted above, UC is the incumbent contractor for services currently provided by the MTDC team.

¹² There is no dispute that performance of the non-MTDC activities will constitute a significant portion of the contract requirements. For example, UC acknowledges that the DSS data center "is larger [than the MTDC center] with more servers." Protest at 13.

excellence [it] provides today,” but doesn’t explain how it would do so for the systems it doesn’t host now.

* * * * *

[UC] is an incumbent itself, but misses the point that it isn’t the only incumbent.

AR, Tab 12, Final TEP Report (UC), at 4, 16.

Following discussions (during which the statements quoted above were provided to UC, verbatim) and the submission of UC’s revised proposal, the agency again concluded that UC’s technical approach “remains heavily MTDC-centric with no appreciation for the difficulties [of] [deleted] to other OPB areas.” Id. at 4. The TEP added that UC’s revised proposal “really doesn’t discuss its vision of how to handle server and systems outside the current MTDC area.” Id. at 7.

Although UC’s various protest submissions reflect its general disagreement with the agency’s conclusion that its proposal failed to adequately address, or reflect an understanding of, the solicitation’s non-MTDC requirements, UC also vigorously asserts that the agency should have viewed UC’s proposed “MTDC-centric” approach as the preferred approach—and that it was improper for the agency to conclude otherwise. In this regard, UC asserts that UC’s current MTDC processes “are the most logical starting point for implementing the single set of processes required by the RFTOP.” Protest at 15, 19. Similarly, UC maintains that “it is not a valid criticism that the [UC] approach is ‘MTDC-centric’ because [UC’s] MTDC experience is the only ISO [international standards organization] 20000 certified data center in the OPB operation.” Id.

The agency responds that UC’s proposal simply offered, in general terms, to blend the three legacy areas into one hosting group, but failed to explain how it would transform the MTDC process into the new configuration. AR at 28-29; AR, Tab 12, Final TEP Report (UC), attach B, at 3-16. More specifically, the agency noted that new processes will have to be drafted for the non-MTDC work, yet UC’s proposal failed to adequately address how it will perform this significant portion of the requirements. Accordingly, the agency concluded that UC’s proposal failed to show the requisite level of understanding of the PWS requirements. Id.

Based on our review of UC’s initial proposal, the agency’s initial evaluation, the discussions questions provided to UC, UC’s revised proposal, and the agency’s final evaluation, we find nothing unreasonable in the agency’s identification of various weaknesses related to UC’s “MTDC-centric” approach.

By way of another example, the TEP criticized UC's initial proposal for failing to adequately address certain surge requirements that were identified in the solicitation,¹³ noting that the section of UC's proposal purporting to respond to this requirement dealt with retention of incumbent staff during the transition period, not the solicitation's surge requirements. AR, Tab 9, Initial TEP Report (UC), at 9.

UC's revised proposal responded to this evaluated weakness, stating:

[UC] believes it can utilize [deleted] to perform [deleted] for small, shorter-term surge requirements. . . . When a more significant surge requirement occurs, we will develop a surge plan with CDC to determine the expected duration of the surge and define the approach and additional staffing requirements.

AR, Tab 11, UC Responses to Discussions/Request for Revised Proposals, at 14.

The agency concluded that UC's response—that it would subsequently develop a surge plan for significant surge requirements—was inadequate, and defends its assessment of a weakness by noting that “[t]he middle of a crisis is not the time to figure out how to quickly bring onboard competent staff to help deal with the crisis.” AR at 35. UC has not shown, nor does anything in the record leads us to conclude, that the agency's criticism of UC's response to the solicitation's surge requirements was unreasonable.

In sum, we have considered all of UC's challenges to the agency's evaluation of its proposal. Based on our review of the entire record, it is clear that UC's assertions constitute mere disagreements with the agency's various judgments. As such, they provide no basis to sustain the protest.

Evaluation of HP's Proposal and Best Value Determination

Next, UC asserts that it was unreasonable for the agency to ultimately accept the staffing approach that HP proposed. In this regard, UC refers to the agency's evaluation of HP's initial proposal, which included various concerns expressed by the agency evaluators, and maintains that HP failed to adequately respond to those concerns in its revised proposal. Accordingly, UC asserts that the agency's final evaluation of HP's proposal and the agency's best value determination were unreasonable.

As noted above, our Office will not reevaluate proposals, but will review the record to ensure reasonableness and consistency with the solicitation; a protester's

¹³ The RFTOP required surge capacity response to, among other things, “pandemic flu, natural disasters and terrorist activities.” RFTOP at 26-27.

disagreement with an evaluation is an insufficient basis to sustain a protest. See, e.g., GC Servs. Ltd. P'ship, supra. Here, we have reviewed all of UC's allegations regarding the agency's evaluation of HP's proposal and, again, conclude that they reflect only disagreement with the agency's judgments.

As discussed above, the agency's evaluation of HP's initial proposal reflected various questions and concerns regarding HP's staffing approach. For example, in its discussion questions to HP, the agency expressed concern that some of HP's proposed labor rates were too low to attract and retain qualified staff. SAR, Tab 3, Discussion Questions/Request for HP's Revised Proposal, at 7. In response, HP referenced its "total compensation packages," which include base pay, variable bonuses, awards and recognition, employee stock purchase, equity awards, 401K matching, and health and wellness programs; noted that it had conducted extensive research in the Atlanta area, including interviewing staff candidates; and stated that it had obtained labor rates from teaming partners and outside staffing agencies, and reviewed its internal costs. AR, Tab 22, HP Revised Proposal, at 23.

Similarly, the agency's discussion questions with HP expressed concern that HP's proposed staffing levels relied on "[deleted] automation," "[deleted] automation," and "automation of [deleted]," but that the proposal did not provide specific information regarding these automation tools. SAR, Tab 3, Discussion Questions/Request for HP Revised Proposal, at 7. In responding to this concern, HP did not provide additional specific information regarding the automation tools, but noted that the IT services to be performed under this task order are HP's "core competency," that HP has been providing similar services for over 40 years, and that HP has a track record of "continually increasing our operational efficiency." AR, Tab 22, HP Revised Proposal, at 24. HP's response further stated that it would use CDC's existing tools and "where appropriate, recommend other tools, configurations, techniques and processes that will further increase productivity," noting that it expects new automation tools to emerge on the market that "both CDC and [HP] will want to leverage." Id.

The TEP reviewed all of the responses HP provided with its revised proposal, expressing skepticism regarding many, and acknowledging the merit of a few. SAR, Tab 5, Final TEP Report (HP), attach. B, at 3-14. Based on its skepticism, the TEP declined to increase most of the technical scores it had previously assigned to HP's proposal—scores which already reflected the risks and TEP concerns associated with HP's staffing approach. Upon reviewing HP's responses and revised proposal, the TEP concluded that the proposal was acceptable and technically superior to UC's, notwithstanding the ongoing presence of previously-identified risks. AR, Tab 14, TEP, Award Recommendation, at 1.

Thereafter, the source selection authority (SSA) reviewed the evaluation record, including the TEP's identification of strengths, weaknesses, and risks in each offeror's proposal, and concluded that HP's proposal offered the best value to the agency. SSA Declaration, Mar. 26, 2012; AR, Tab 15, SSA's Award Decision

Memorandum. In his contemporaneous source selection decision document, the SSA stated as follows:

The proposal from HP was rated technically higher than the proposal from [UC]. HP's technical score is approximately 2 points or 3.5% higher than the technical score of [UC]. HP's proposed price is approximately \$14.2 Million or 16% lower than [UC's] proposed price.

The revised technical and price proposals from HP represent the best value to the Government. HP's technical proposal demonstrates an understanding of the requirements and HP proposed new tools and methodologies to execute the task order activities. The evaluation panel determined HP's proposal leaves little doubt that they will successfully perform the requirements noted in the performance work statement.

Since HP's technical proposal was determined to be acceptable with the highest technical rating and their proposed price was less than the IGE and significantly lower than [UC's] proposed price, the program office recommended award to HP.

The labor rates proposed by HP are considered reasonable based on rates that were agreed to under the basic [IDIQ] contract, which was awarded based on competition. HP's proposed price provides discounts to the listed prices in their established [IDIQ] Basic Contract/GSA Schedule discounted rates. The Contracting Officer's Technical Representative (COTR) considered the labor categories, hours, and rates reasonable and appropriate for the technical effort. The COTR took no exception to the proposed costs.

In consideration of all of the factors stated above, award to HP represents the best value to the Government at a fair and reasonable price.

AR, Tab 15, SSA's Award Decision Memorandum, at 2-3.

Based on our review of the record, we find no basis to question the SSA's ultimate determination that the strengths, weaknesses, and risks reflected in HP's proposal made it technically superior to UC's proposal, given the strengths, weaknesses, and risks in UC's proposal. To the extent UC's protest challenges the agency's evaluation of HP's proposal and the best value determination, the protest raises only disagreement with the agency's judgments and provides no basis for sustaining the protest.

Other Alleged Procedural Flaws

Finally, UC's various protest submissions raise additional arguments challenging the agency's evaluation procedures. Among other things, UC asserts that the technical evaluation was flawed because it was "based purely on average numerical point scores without consideration of the underlying strengths and weaknesses" of the offerors' proposals. Supp. Protest, Feb. 21, 2012, at 8. We disagree.

An agency's calculation of numerical averages in performing its evaluation is not per se improper, since calculation of point scores can properly serve as guides to intelligent decisionmaking. See, e.g., SAMS El Segundo, LLC, B-291620, B-291620.2, Feb. 3, 2003, 2003 CPD ¶ 44 at 17. In reviewing an agency's evaluation, we will consider whether that evaluation, and the subsequent award decision, reasonably reflects the relative qualities of the competing proposals. Id.; see also FAR § 15.305(a)(requiring consideration of "relative qualities" of proposals).

Here, the record shows that, in addition to assignment of numerical point scores, the TEP consensus report, signed by each of the TEP members, includes narrative discussions of the multiple strengths and weaknesses that were assigned to each offeror's proposal under each evaluation factor. AR, Tab 12, Final TEP Report (UC), attach. B; SAR, Tab 5, Final TEP Report (HP), attach. B. Based on our review of the record, as discussed above, we conclude that the agency's evaluation reasonably reflects the relative qualities of the competing proposals. Accordingly, UC's assertion that the technical evaluation was flawed due to the agency's calculation of numerical point scores is without merit.

Similarly, UC argues that the source selection process was flawed in that agency evaluators failed to adequately document their consensus findings, and that the evaluation record reflects an inadequate correlation between the evaluators' findings

and the source selection decision. We have reviewed the entire record, along with each of UC's various allegations, and find no basis to sustain the protest.¹⁴

The protest is denied.

Lynn H. Gibson
General Counsel

¹⁴ Following receipt of the agency report responding to its initial protest, UC identified certain factual errors made in the contracting officer's statement and agency counsel's legal memorandum with regard to the staffing levels proposed by the offerors. UC maintains that such post-award, post-protest errors provide additional bases for sustaining the protest. They do not. In reviewing whether an agency's procurement decision was reasonable and consistent with applicable law, regulation, and the terms of a solicitation, we consider the agency's contemporaneous evaluation record. Here, as discussed above, the record shows that the agency considered each offeror's proposed staffing levels on a task-by-task basis, specifically discussing the staffing proposed for several of the tasks with the offerors. Overall, our review of the contemporaneous evaluation record provides no basis to question the agency's source selection decision, and the agency's post-award, post-protest errors do not alter that conclusion.