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Decision

Matter of: Alutiiq Technical Services LLC

File: B-411464; B-411464.2

Date: August 4, 2015

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S. Lane Tucker, Esq., Stoel Rives LLP, for Vista Technical Services, LLC, an intervenor.

Kelly L. Sledgister, Esq., and Jonathan A. Hardage, Esq., Department of the Army, for the agency.

Peter D. Verchinski, Esq., and Nora K. Adkins, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest challenging an agency's evaluation and award decision is denied where the agency's evaluation was reasonable and consistent with the terms of the solicitation.

DECISION

Alutiiq Technical Services, LLC, of Anchorage, Alaska, protests the award of a contract to Vista Technical Services, LLC, of Anchorage, Alaska, under request for proposals (RFP) No. W9124P-13-R-0006, issued by the Department of the Army, Army Contracting Command, Redstone Arsenal, Alabama, for commercial information technology support services. Alutiiq primarily challenges the agency's evaluation and source selection decision.

We deny the protest.

BACKGROUND

The RFP, which was issued on April 25, 2013 as a competitive 8(a) small business set-aside, contemplated the award of a multiyear, time-and-materials, indefinite-delivery, indefinite-quantity contract to procure information technology services--known as the Redstone Information Technology Services II (RITS II) contract. This procurement is referred to as RITS II because it is a follow-on

procurement to the previous RITS requirement, which was performed by Aluttiq International Solutions, LLC, pursuant to a sole-source contract awarded in June 2007.¹

The RFP provided that award would be made on a best value basis, considering three evaluation factors: technical, price, and past performance. RFP, amend. 2, at 69. Technical was the most important factor and slightly more important than price, while price was significantly more important than past performance. Id. Technical and past performance, when combined, were more important than price. Id. The technical factor included two subfactors: technical experience and management approach. Technical experience was slightly more important than management approach. Id. at 70.

Under the technical experience subfactor, the RFP provided that the agency would focus on two key issues in its evaluation. The first issue was “Understanding, Knowledge, Skills and Abilities,” which involved whether the offeror had provided a plan that “demonstrates a complete, clear, and accurate description of the approach to accomplish each of the requirements identified in the PWS [Performance Work Statement].” Id. at 70-71. The second issue was “PWS Experience,” which required the offeror to provide up to three examples that demonstrate experience in the same or similar efforts. Id. at 55, 71.

Under the management approach subfactor, the RFP again provided that the agency would focus on two key issues in its evaluation. The first issue was a staffing plan, which included, among other things, a proposed labor mix. In this regard, the RFP prescribed the labor categories and the minimum number of hours for each labor category for the transition and each year of the contract. RFP, PWS, at 64-67. The solicitation provided some flexibility to the offerors for the computer user support specialist and systems administrator categories, each of which had multiple levels.² For these two labor categories, the RFP provided that “[t]he personnel quantities can be fluctuated within the labor category levels as deemed necessary by the contractor.” Id. at 67. The second issue was a management plan, which included a transition plan and management approach. RFP, amend. 2, at 71.

¹ Aluttiq International Solutions, LLC, is a sister company of the protester--Aluttiq Technical Services, LLC. AR, Tab 22, Aluttiq Past Performance Vol., at 3-4.

² The systems administrator category had three levels (I-III), and the computer user support specialist had four levels (I-IV). The levels were based upon experience and qualifications. For example, the RFP defined the qualification requirements for a computer user support specialist level I as “Associate’s Degree in a computer related field or equivalent technical certification;” the qualification requirements for a computer user support specialist level IV were defined as “[m]inimum five years experience on a technical service desk or a Bachelor’s Degree in computer related field or equivalent advanced technical certification.” RFP, PWS, at 49.

In response to the RFP, the agency received 22 proposals, including Alutiiq's and Vista's. After conducting an initial evaluation, the agency included 16 proposals in the competitive range. The agency conducted discussions, and the technical evaluation team evaluated Alutiiq's and Vista's revised proposals as follows:³

		Alutiiq	Vista
Technical Capability	Technical Experience	Outstanding	Outstanding
	Management Approach	Outstanding	Outstanding
Overall Technical Rating		Outstanding	Outstanding
Past Performance		Substantial Confidence	Substantial Confidence
Total Evaluated Price		\$54,939,894	\$54,099,772

Agency Report (AR), Tab 2, Source Selection Decision (SSD), at 8, 87. The source selection authority (SSA) conducted an independent review of the proposals and concluded that the six highest rated firms (including Alutiiq and Vista) clearly demonstrated an exceptional understanding and ability to perform the RITS II requirement. *Id.* at 86. While the SSA noted minor differences, he found the proposals to be “substantially the same” with respect to the non-price factors and concluded that any slight differences did not justify paying a higher price for the services. *Id.* at 87. Based on the SSA’s independent comparative analysis of the proposals, he concluded that Vista represented the best value. Award was subsequently made to Vista, and this protest followed.

DISCUSSION

Alutiiq raises several challenges to the agency’s evaluation and award decision. The protester primarily contends that the agency’s evaluation of its technical proposal was flawed because the agency’s technical evaluation team failed to list all the strengths associated with its proposals, and thus, there were strengths that the SSA failed to consider. The protester also challenges the agency’s evaluation of

³ The agency assigned ratings of outstanding, good, acceptable, marginal, or unacceptable to the technical factors and subfactors. AR, Tab 6, Source Selection Plan, at 8. The agency also assigned past performance ratings of substantial confidence, satisfactory confidence, limited confidence, no confidence, or unknown confidence. *Id.* at 12.

Vista's management approach, asserting that the agency failed to properly consider the awardee's staffing plan, which proposed an inadequate number of personnel in certain labor categories. Alutiiq additionally alleges that the agency's source selection decision was flawed because the agency failed to look behind the offerors' ratings in making the best value decision. For the reasons discussed below, we find no basis to sustain the protest.⁴

Technical Evaluation

Alutiiq challenges the agency's evaluation of its technical proposal. The protester contends that the evaluators did not assign strengths to aspects of Alutiiq's proposal deserving of a strength; improperly combined strengths into significant strengths; and failed to present all the strengths assessed by the technical evaluators to the SSA. In response, the agency asserts that the evaluators considered all aspects of Alutiiq's proposal and evaluated, consistent with the RFP criteria, the extent to which the offeror provided a complete, clear, and accurate approach to accomplishing the PWS requirements. In this regard, the agency explains that instead of assigning separate "strengths" for aspects which alone did not offer an appreciable benefit, the agency subsumed within the significant strengths under each key issue many of the strengths Alutiiq alleges were not identified.

In reviewing a protest challenging an agency's technical evaluation, our Office will not reevaluate the proposals; rather, we will examine the record to determine whether the agency's evaluation conclusions were reasonable and consistent with the terms of the solicitation and applicable procurement laws and regulations. The Kenjya Group, Inc.; Academy Solutions Group, LLC, B-406314, B-406314.2, Apr. 11, 2012, 2012 CPD ¶ 141 at 4. A protester's mere disagreement with the agency's conclusions does not render the evaluation unreasonable. The Eloret Corp., B-402696, B-402696.2, July 16, 2010, 2010 CPD ¶ 182 at 12.

We have reviewed each of the protester's contentions in this regard and find that they do not provide a basis to sustain the protest. The agency's evaluators thoroughly reviewed the protester's proposal and assigned strengths and significant

⁴ To the extent we do not address certain arguments or variations of arguments presented during the course of the protest, we have considered all of the allegations and find that none provides a basis for sustaining the protest. Moreover, Alutiiq withdrew several of its protest grounds. In its initial protest, Alutiiq challenged the reasonableness of the agency's evaluation of the awardee's past performance and technical experience. Alutiiq withdrew these contentions in its comments responding to the initial agency report. Alutiiq Comments, June 8, 2015, at 2 n.2. In a supplemental protest filed in response to the agency report, Alutiiq also challenged the agency's price realism evaluation, but then subsequently withdrew this protest ground. Alutiiq Supp. Comments, June 23, 2015, at 3 n.1.

strengths to the areas in which it determined Alutiiq exceeded the requirements. As to the various examples of areas where Alutiiq argues it should have received a strength, the record demonstrates that the agency did not believe a strength was warranted.⁵ Supp. AR at 15. The agency was not obligated to document the areas of Alutiiq's proposal that did not warrant strengths.

Moreover, we find that the agency's evaluation of the significant strengths reasonably subsumed many of the alleged strengths because the agency chose to evaluate the key issues as a whole. For example, the agency assigned a significant strength to the protester's plan for accomplishing the PWS requirements (the first key issue under technical experience). The evaluators stated that Alutiiq demonstrated a complete understanding of the required PWS tasks and also noted "[s]ome examples of how Alutiiq's plan, as a whole, appreciably exceeds the Government's PWS requirements." AR, Tab 21, Alutiiq Final Rating Report, at 6. The evaluators then provided five examples. Id. Each of these examples were also mentioned in the SSA's source selection decision. AR, Tab 2, SSD, at 13. As another example, the evaluators also assigned a significant strength to the protester's management approach. Here, the evaluators concluded that the proposal "provided the Government with benefits that, as a whole, appreciably exceed the requirements of the PWS" and the evaluators listed two examples of such. AR, Tab 21, Alutiiq Final Rating Report, at 10. This aspect of Alutiiq's proposal was also noted in the SSA's source selection decision. AR, Tab 2, SSD, at 14.

While the protester argues that these lists of examples improperly combined independent strengths and demonstrates that there are other, undocumented, strengths, which should have been provided to the SAA, based upon our review of the record, we find that the agency's evaluation was reasonable. Alutiiq's characterization of these examples as separate strengths that could change the outcome of the procurement is misplaced. The record shows that the agency considered these examples not to be separate strengths, but instead found them to be underlying reasons supporting the stated significant strength. While the protester essentially seeks to replace its judgment for the agency's exercise of

⁵ To the extent the protester asserts that the agency failed to follow its source selection plan, which defined a strength as "[a]n aspect of an offeror's proposal that has merit or exceeds specified performance or capability requirements," in choosing to combine independent beneficial aspects into an overall significant strength, this complaint does not establish a valid basis to object to the agency's evaluation. AR, Tab 6, Source Selection Plan, at 30. An agency's source selection plan is an internal guide that does not give rights to parties; it is the RFP's evaluation scheme, not internal agency documents such as source selection plans, to which an agency is required to adhere in evaluating proposals. Meadowgate Techs., LLC, B-405989, B-405989.3, Jan. 17, 2012, 2012 CPD ¶ 27 at 6 n.7.

discretion, our Office will not sustain a protest upon a protester’s disagreement with an agency’s technical judgments where the protester has not shown that the agency’s evaluation lacks a reasonable basis. See BNL, Inc., B-409450, B-409450.3, May 1, 2014, 2014 CPD ¶ 138 at 7.

Staffing Approach

Alutiiq also asserts that the agency’s evaluation failed to properly consider the reasonableness of Vista’s staffing plan with regard to certain labor categories. Specifically, Alutiiq asserts that Vista proposed a significantly lower level of staffing for the customer user support specialist and systems administrator categories, which constitutes a “reckless” staffing approach that the agency failed to properly consider.

As stated above, the solicitation permitted offerors to propose personnel with various experience levels for two labor categories. Specifically, the solicitation permitted offerors to propose staff under four computer user support specialist categories (I-IV), and three systems administrator categories (I-III). The solicitation did not mandate any specific staffing levels for the labor categories, but instead permitted offerors to propose as many or as few personnel in each of the levels provided. With regard to Vista’s proposal, Vista proposed fewer higher-level staff (levels III and IV) in the computer user support specialist and system administrator categories, while proposing a higher number of lower-level staff (levels I and II) as compared to both the government estimate and the protester. For example, for the first year of performance, Vista and Alutiiq proposed the following personnel (full time equivalents):

	Customer User Support Specialist				Systems Administrator		
	Level I	Level II	Level III	Level IV	Level I	Level II	Level III
Alutiiq	34	22	15	10	10	7	5
Vista	43	21	14	3	11	9	2
IGE⁶	5	23	41	12	2	14	6

AR, Tab 2c, Price Comparison.

The record demonstrates that the agency was aware of Vista’s proposed staffing plan, and, in fact, inquired during discussions as to how Vista would retain high level personnel. AR, Tab 18, Evaluation Notice No. VIST-TK-0001. The protester explained that it was offering an “industry standard structure;” considered the current personnel structure to be “too top-heavy;” and thus proposed to shift personnel to lower levels. AR, Tab 34, Vista Final Proposal, at 68. Furthermore,

⁶ The government estimate was provided as part of the solicitation in addendum 1.

Vista proposed to retain high-level personnel “through various bonus and certification scenarios.” Id. The agency’s technical evaluation team considered Vista’s response and found that the response resolved the agency’s uncertainty as to how the firm would retain high-level experienced personnel. AR, Tab 36, Vista Final Technical Report, at 9.

On this record, we find that the agency properly considered the awardee’s staffing plan, and find nothing unreasonable about the agency’s conclusion that the staffing plan was acceptable. The solicitation specifically contemplated offerors proposing varying levels of personnel under these two categories; both Alutiiq and Vista proposed fewer higher-level staff, while proposing a higher number of lower-level staff; and the agency was fully aware of and analyzed the offerors’ unique approaches. While the protester contends that the source selection decision was improper because it contains no reference to this issue, the record demonstrates that the SSA reviewed the reports of the technical evaluators, which detailed the evaluator’s concerns--as well as their conclusion that their concerns had been resolved. Given this, we find nothing improper with the agency’s evaluation.

Best Value

Alutiiq challenges the agency’s award decision, asserting that it was based upon an incomplete record. The protester also contends that the SSA unreasonably failed to consider the qualitative differences in the proposals including Alutiiq’s superior past performance.

Source selection decisions must be documented, and must include the rationale for any business judgments and price/technical tradeoffs made or relied upon by the SSA. Wyle Labs., Inc., B-407784, Feb. 19, 2013, 2013 CPD ¶ 63 at 6; see FAR § 16.505(b)(7). However, there is no need for extensive documentation of every consideration factored into a tradeoff decision. See Terex Gov’t Programs, B-404946.3, Sept. 7, 2011, 2011 CPD ¶ 176 at 3. Rather, the documentation need only be sufficient to establish that the agency was aware of the relative merits and costs of the competing proposals and that the source selection was reasonably based. Id.

With regard to Alutiiq’s allegations that the SSA was not presented with an adequate record on which to make a reasonable source selection decision, we find that the agency’s award decision was unobjectionable. In this regard, and as explained above, the technical evaluators found specific significant strengths and strengths for both Alutiiq’s and Vista’s proposals and provided a detailed narrative, which provided supporting examples of the ratings each offeror received. The source selection decision document highlights each of the examples used by the technical evaluators in arriving at their ratings, as well as the significant strengths and strengths. On this record, the protester has not demonstrated that evaluators

failed to present information to the SSA and thus, we find that the agency's evaluation and ultimate award decision were reasonable.

We also find Alutiiq's assertion that the SSA failed to look behind the substantial confidence ratings and find Alutiiq's past performance to be superior without merit. In this regard, the protester alleges that, of the six references submitted by each firm, Alutiiq had higher relevancy ratings (four very relevant references and two relevant references), compared to Vista (three very relevant references and three somewhat relevant references), and had higher performance ratings (essentially only exceptional ratings) compared to Vista (which received, in addition to numerous exceptional ratings, a satisfactory rating and two very good ratings).

The agency explains that the SSA considered the evaluated differences in his comparative assessment of the proposals. In this regard, while Alutiiq submitted six references, those references were for only "three distinct efforts," as three of the references were for bridge contracts or follow on contracts. AR at 26-27; AR, Tab 2, SSD, at 59. In contrast, Vista submitted six independent references "for six different customers." AR at 27; AR, Tab 2, SSD, at 66. Furthermore, the agency noted that all of Vista's references were performed by either Vista or its subcontractors, whereas the protester had not performed any efforts for which it provided references (rather, they were performed by sister companies). AR, Tab 2, SSD, at 59, 66. Finally, the agency noted that, with regard to the ratings, the agency had received only exceptional ratings for the very relevant contracts performed by Vista (or its subcontractors), and that the satisfactory rating Vista received was on a somewhat relevant contract, where the "problems had been resolved," and the evaluator had noted that Vista provided "exceptional" or "excellent" quality of service or business relations for certain aspects.⁷ AR at 27 n.3; Id., Tab 38, Vista Past Performance Final Report, at 15. On this record, we see no basis to conclude that the SSA failed to find that Alutiiq possessed superior past performance or that the SSA failed to conduct a qualitative assessment of the proposals in this regard.

The protest is denied.

Susan A. Poling
General Counsel

⁷ The record shows that, for one of Vista's very relevant contracts, the agency was not able to obtain any ratings. AR, Tab 38, Vista Past Performance Final Report, at 10-11.