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Decision

Matter of: Trans Digital Technologies, LLC

File: B-412521.2; B-412521.3; B-412521.4

Date: January 17, 2018

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Richard P. Rector, Esq., Dawn E. Stern, Esq., and Ethan M. Brown, Esq., DLA Piper LLP-US, for Integral Consulting Services, Inc., the intervenor.

Tudo N. Pham, Esq., Department of State, for the agency.

Robert T. Wu, Esq., and Peter H. Tran, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

1. Protest challenging the evaluation of proposals and the best-value tradeoff decision is denied where the record shows that the evaluation and tradeoff were reasonable and in accordance with the stated evaluation criteria.

2. Protest that the agency engaged in misleading discussions is denied where the record shows that while the agency did not inform the protester of its true concern, the protester has not shown the reasonable possibility that it was prejudiced by the error.

DECISION

Trans Digital Technologies, LLC (TDT), of Washington, District of Columbia, protests the award of a contract to Integral Consulting Services, Inc., of Rockville, Maryland, by the Department of State (DOS) under request for proposals (RFP) No. SAQMMA-14-R-0203 for next generation passport personalization printers and associated services. TDT challenges the evaluation of proposals under various non-price factors, the best value tradeoff decision and argues the agency engaged in misleading discussions.

We deny the protest.

BACKGROUND

The RFP, issued on July 29, 2014, sought proposals for next generation passport personalization printers and associated services. On November 30, 2015, the agency

awarded a contract to Integral, which TDT protested to our Office on December 7, 2015. Contracting Officer's Statement (COS) at 1. In response to the protest, the agency took corrective action, resulting in dismissal of the protest as academic. Trans Digital Technologies, LLC, B-412521, Jan. 5, 2016 (unpublished decision). On December 1, 2016, the agency reissued the solicitation, in its entirety, after corrective action via Amendment 004 to the solicitation. COS at 1; see generally Agency Report (AR), Tab 4, Amendment 004.

The RFP called for the award of a single indefinite-delivery, indefinite-quantity (IDIQ) contract with a guaranteed minimum order of one high-capacity printer and one low-capacity printer, and a maximum of 30 high-capacity printers and 100 low-capacity printers, including all related shipping, installation, warranties, consumables, and transition costs. RFP at 2. Proposals were to be evaluated on a best-value tradeoff basis considering price, and the following non-price factors listed in descending order of importance: technical capability and demonstration printer testing (technical capability); previous demonstrated production experience (production experience); key personnel and past performance. Id. at 51-53. While listed in descending order of importance, technical capability, however, was considered significantly more important than the other non-price factors. Id. at 52. The non-price factors, when combined, were significantly more important than price. Id. at 51.

The technical capability factor was to evaluate an offeror's demonstrated capabilities and proposed approach to completing all requirements in section C of the solicitation. Id. at 52. Offerors were required to demonstrate a comprehensive understanding of the nature and scope of work required and also show the following: demonstrated ability to provide high operational availability of personalized printers; the ability to effectively handle and perform remedial maintenance as well as meet performance standards set forth in the RFP; a proposed transition plan; and a draft quality control plan. Id. at 52-53. Under the technical capability factor, demonstration of printer capabilities was to be evaluated and scored against various capabilities, with a total test score assigned to the proposal. Id. at 53. The production experience factor was to evaluate an offeror's experience based on "the degree of relevance to the requirement on the basis of similarity in size, scope, complexity, technical difficulty, and dollar value." Id. Price was to be evaluated to ensure fairness and reasonableness using one or more of the proposal analysis techniques stated in Federal Acquisition Regulation (FAR) section 15.404 to conduct the evaluation. Id. at 55.

On January 27, 2017, Integral and TDT submitted revised proposals in response to the amended RFP. COS at 2. After an initial evaluation of proposals, the agency entered into discussions with both offerors, and received final proposal revisions (FPRs). Id. The relevant FPR evaluation results were as follows:

	Integral	TDT
Technical Capability	Excellent	Excellent
Production Experience	Excellent	Satisfactory
Key Personnel	Satisfactory	Good
Past Performance	Significant Confidence	Confidence
Price	\$96,835,383	\$41,609,579

AR, Tab 49, Source Selection Decision, at 6-7.¹

The source selection authority (SSA) conducted a detailed tradeoff analysis between proposals, ultimately finding Integral's proposal to represent the best value to the government. Id. at 23-24. He concluded that since "Integral's proposal offers a superior personalization printer technology and solution to achieve the most secure, durable and high quality passport book for [the agency], Integral offers the best value to the Government." Id. at 24-25. After award of the contract, this protest followed.

DISCUSSION

TDT challenges various aspects of the evaluation of proposals and the best-value award decision. For instance, the protester argues that the agency applied an unstated evaluation criterion by crediting Integral for enhanced security capabilities under the technical capability factor. Protest at 6-10. TDT also argues that Integral's printers do not meaningfully surpass TDT's printers with respect to security capabilities and features. Id. at 10-11. Under the production experience factor, TDT challenges the evaluation of its own proposal, challenging both the substance of the evaluation and arguing that the agency engaged in misleading discussions, and challenges the evaluation of Integral's proposal as unreasonable, unequal and in violation of the terms of the solicitation. Id. at 11-19; see generally Supp. Protest. Finally, TDT challenges various aspects of the best-value award decision. While we do not address all of TDT's arguments in this decision, we have considered all of the firm's arguments and find none that provide a basis to sustain the protest.

Technical Capability Factor

TDT initially contends that the technical capability factor did not provide a basis for distinguishing proposals based on enhanced security capabilities. Protest at 6-8. In its

¹ For the technical capability, production experience, and key personnel factors, proposals were to receive one of the following adjectival ratings: excellent, good, satisfactory, marginal, or unsatisfactory. RFP at 53-55. Under past performance, proposals were to be assigned ratings of significant confidence, confidence, unknown confidence or little confidence. Id. at 55.

comments to the agency report, the protester refines its argument, alleging specifically that evaluation of the technical capability factor was limited to those items to be evaluated in demonstration testing, and that the demonstration testing event would determine the offeror's rating under this factor. Protester's Comments at 3-4. TDT goes on to argue that "it was thus improper for the Agency to allow supposed printer capabilities outside the published demonstration testing criteria to become outcome-determinative, as Integral's security enhancements were here." Id. at 3.

The agency responds that under the technical capability factor, the agency was to evaluate the offeror's demonstrated capabilities and proposed approach to completing all requirements in section C of the RFP. Memorandum of Law (MOL) at 17 citing AR, Tab 20, Section C - Descriptions/Specifications/Work Statement. This included various specific requirements related to product security, including the capabilities recognized in Integral's proposal. Id. at 17-21. We agree with the agency.

With respect to the technical capability factor, the RFP specifically provides the following:

DoS will evaluate the Offeror's demonstrated capabilities and proposed approach to completing all requirements in Section C. The Offeror's proposal must demonstrate a comprehensive understanding of the nature and scope of work required and also show:

- Demonstrated ability to provide high operational availability of the Personalization Printers;
- The ability to effectively handle and perform remedial maintenance and the ability to meet the performance standards in Section F;
- A proposed transition plan that identifies all actions for a successful implementation of this contract; and
- A draft Quality Control Plan that ensures consistent technical quality for all deliverables, work products, and services performed under this contract.

* * * * *

Scores for each capability will be added together to calculate a total score for the test. This score will be used to assign an adjectival rating in accordance with Section M.11.

RFP at 52-53.

It is clear from the solicitation that the technical capability factor was to evaluate an offeror's demonstrated capabilities and proposed approach to completing all

requirements in section C of the RFP.² Id. Offerors were required to demonstrate a comprehensive understanding of the nature and scope of work required and also show the capability to meet the four identified competencies. Id. at 52-53. Also under the technical capability factor, offerors were required to demonstrate printer capabilities, which were to be evaluated and scored against various criteria. Id. at 53. Thus, contrary to TDT's assertion, the technical capability factor was not simply limited to the criteria used for the printer capabilities demonstration, but would also evaluate an offeror's proposed approach to completing all requirements in section C of the solicitation. Id. at 52.

With respect to TDT's argument that the technical capability factor did not provide a basis for distinguishing proposals based on enhanced security capabilities, this argument is both myopic and not supported by the record. In this regard, section C of the RFP makes numerous references to the agency's desire to procure passport personalization printers with robust security features. Specifically, the solicitation states the purpose of the procurement is as follows, "To enhance security, durability and quality of future passport books, DOS intends to replace current systems with Next Generation (or NextGen) Passport Personalization Printers." AR Tab 20, Work Statement at 1. Under section C.3.1.3 (Personalization Printer Requirements), alone, the RFP references the term "security" no less than six times in stating the agency's requirements.

In evaluating the technical proposals, the record shows that the evaluators recognized six significant strengths in Integral's proposal under the technical capability factor. AR, Tab 49, Source Selection Decision, at 8-9. Of the assigned significant strengths, one related to the results of the printer demonstration, one related to Integral's proposed transition plan (which was specifically called out in the evaluation factor), and the other four related to aspects of Integral's proposal that correlated back to requirements set forth in section C of the RFP. Id.

For example, Integral's proposal was assigned a significant strength because the firm proposed the capability to personalize a [DELETED] Optically Variable Device (OVD) as well as a clear OVD. Id. at 8. Section C of the RFP required that, "Personalization Printers shall have the ability to personalize a data page containing an Optically Variable Device (OVD). The personalization Printer laser shall be able to personalize through a non-metalized OVD, of a type to be specified by the Department at a later date." AR, Tab 20, Section C, at 5. The evaluators found that Integral's proposal to personalize both [DELETED] and non-metalized (clear) OVDs exceeded the government's requirements "because by personalizing the [DELETED] portion, the Government can be sure that the OVD component of the data page would remain

² Section C provides the specifications and work statement for the solicitation. The section was amended by Amendment 004 to the RFP and provided as Tab 20 to the agency report.

secure and connected to the bearer upon issuance.” AR, Tab 49, Source Selection Decision, at 8.

As another example, Integral’s proposal was assigned a significant strength for proposing [DELETED], which the agency found exceeded the requirement of providing high speed color printing technology. Id. This specific strength related to the RFP requirement that “Personalization Printers shall include an available high speed color printing technology (e.g. color inkjet printer), in addition to laser engraving, that allows for printing on page 3 of the passport booklet.” Id. see also AR, Tab 20, Section C, at 5. Thus, the assigned significant strength correlated to a benefit proposed by Integral that specifically related to a requirement of the solicitation.

Since the evaluation criteria provided for the evaluation of demonstrated capabilities and proposed approach to completing all requirements in section C of the solicitation, it was reasonable for the agency to evaluate Integral’s proposed approach to satisfy the requirements of the RFP. Furthermore, as the disputed “enhanced security capabilities” relate back to specific requirements in section C of the RFP, we are provided no basis to conclude that the agency evaluated Integral’s proposal based on an unstated evaluation criterion. See Camber Corporation, B-413505, Nov. 10, 2016, 2016 CPD ¶ 350 at 5-6.

TDT also argues that Integral’s printers do not meaningfully surpass its own printers with respect to security capabilities and features. Protest at 10. In supporting its argument, the protester points to its proposed [DELETED] technologies and other laser engraved features. Id. The agency asserts, with respect to TDT’s proposed [DELETED] technology, that although the agency assigned this aspect of the TDT’s proposal a strength, DOS found the feature to be of limited use to the government because it would require a “major infrastructure change” to implement. AR, Tab 48, Technical Evaluation Memorandum, at 31. TDT responds, taking issue with the agency’s assertions that the firm’s technology is of little benefit, and questioning the agency’s contentions that significant changes to infrastructure or current practice would be needed to implement its [DELETED] technology. Protester’s Comments at 4-5. We are provided no basis to question the agency’s evaluation.

In reviewing a protest challenging an agency’s evaluation, our Office will not reevaluate proposals, nor substitute our judgment for that of the agency, as the evaluation of proposals is a matter within the agency’s discretion. Analytical Innovative Solutions, LLC, B-408727, Nov. 6, 2013, 2013 CPD ¶ 263 at 2. Rather, we will review the record only to determine whether the agency’s evaluation was reasonable and consistent with the stated evaluation criteria and with applicable procurement statutes and regulations. Id. We will not sustain a protest where the agency’s evaluation is reasonable, and the protester’s challenges amount to disagreement with the agency’s considered technical judgments regarding the specific elements of an offeror’s proposal. BNL, Inc., B-409450, B-409450.3, May 1, 2014, 2014 CPD ¶ 138 at 5.

Here, the protester is, in essence, contesting the agency's technical assessment of the relative merits of TDT's proposed [DELETED] technology as well as the difficulty the Department of State and the Department of Homeland Security would encounter in implementing the technology. The protester asks our Office to opine on the technical merits of the proposed technology, and to question the judgment of the agency with respect to the magnitude of the infrastructure changes that would be required at two executive agencies to implement its technology. We decline to question the agency's judgement in either respect as both inquiries are within the broad discretion afforded to the agency making considered technical judgments regarding the specific elements of TDT's proposal. See A&T Systems, Inc., B-410767, Feb. 10, 2015, 2015 CPD ¶ 95 at 4-6 (deferring to the agency's technical judgment in identifying benefits, or lack thereof, in evaluation proposals). We conclude that the agency's evaluation is unobjectionable.

Production Experience Factor and Discussions

TDT next protests the evaluation of proposals under the production experience factor, and additionally argues that the agency engaged in misleading discussions. With respect to the first issue, TDT challenges various aspects of the agency's evaluation under production experience. While we only discuss the most important issue here, we have considered each argument, and find no basis to sustain the protest. The central issue raised is whether the agency could reasonably emphasize production experience that includes experience with personalization printers that combined laser engraving on a polycarbonate data page, color inkjet printing and chip personalization on one passport, as would be required for the next generation printer requirements here. We conclude that the agency's evaluation was reasonable.

Our Office reviews an agency's evaluation of experience and past performance to ensure that it was reasonable and consistent with the solicitation's stated evaluation criteria and applicable statutes and regulations. L&J Bldg. Maint., LLC, B-411827, Oct. 27, 2015, 2015 CPD ¶ 344 at 3. An agency has broad discretion when evaluating an offeror's experience to determine whether a particular contract is relevant. Id. The evaluation of experience is, by its very nature, subjective, and an offeror's disagreement with an agency's evaluation judgements, without more, does not demonstrate that those judgments are unreasonable. Id.

The record shows that Integral's proposal received an excellent rating under the production experience factor, whereas TDT received a satisfactory rating. AR, Tab 49, Source Selection Decision, at 6. Integral's rating was supported by one significant strength for highly relevant experience in laser engraving passports throughout the world, including with three countries whose passports use the most complex personalization functionalities. Id. Integral's experience was found to be relevant in terms of size as the combined value of its experience was \$125 million and it was found to be similar to the complexities of the agency's requirements. Id. Integral's proposal

also received two strengths, one for experience with integrating print systems with issuance systems, and another for continued use of its product by customers.³ Id.

The agency explains, in order to meet the growing demand for ePassport issuance, it is seeking to improve its processes to issue ePassports more efficiently. Technical Evaluation Panel (TEP) Supp. Statement of Facts (SOF), at 23. In order to create these efficiencies and meet customer demand, the agency is requiring “inline” personalization, as articulated in sections C.2.4 and C.3.1.7 of the RFP. Id. Section C.2.4 states, “[t]his passport will incorporate enhanced security features, laser-engraved personalization date on a polycarbonate data page and an inkjet personalized image along with applicable endorsements (on page 3 of the passport).” AR, Tab 20, Section C, at 3. Section C.3.1.7 requires both high-capacity and low-capacity printers to “perform inline personalization to include laser engraving of the biographical page, color inkjet printing . . . and personalization of the contactless chip.” Id. at 10.

Accordingly, the agency considered a personalization printer relevant if it included “[1] laser engraving on a polycarbonate data page, [2] color inkjet printing, and [3] chip personalization,” along with other security features. TEP Supp. SOF at 22. Based on this, Integral received an excellent rating because it demonstrated two instances where it supplied personalization printers that combined the three personalization technologies, whereas TDT did not provide any references in which it demonstrated experience combining the three technologies, and, therefore received a satisfactory rating. Id. at 33. The agency notes that TDT did receive a strength under the production experience factor for demonstrated experience with personalization of U.S. ePassports, and other printer personalization experience, but was assigned a weakness because the firm had no color inkjet experience in combination with laser engraving on a polycarbonate data page and chip personalization in one printer. Id. at 24; see also AR, Tab 49, Source Selection Decision, at 15.

Under the production experience factor, offerors were notified that proposals were to be evaluated based on “the degree of relevance to the requirement on the basis of similarity in size, scope, complexity, technical difficulty, and dollar value.” RFP at 53. Here, the requirement was for printers that could perform inline personalization to include laser engraving of the biographical page, color inkjet printing, and personalization of the contactless chip. AR, Tab 20, Section C, at 10. Thus, we are provided no basis to question the agency’s decision to emphasize such combined

³ TDT challenges the agency’s assigned strength for continued use of Integral’s systems by customers as improper consideration of “quality.” Supp. Protest at 24. However, as the agency points out, the strength relates not to quality, but to longevity of each country’s use of Integral’s product, which demonstrates a likelihood that the firm will successfully perform the instant contract. Supp. MOL at 29-30; see also RFP at 54 (stating ratings indicate evaluation of probability of success and risk of unsuccessful performance under production experience factor). Our review of the record provides no basis to question the agency’s assignment of this strength to Integral’s proposal.

experience in its evaluation under the production experience factor--experience which Integral possessed, but TDT did not. TEP Supp. SOF at 33. While the protester disagrees with the agency's emphasis on what it calls "technical difficulty" over other considerations under the production experience factor, such disagreement does not render the agency's judgments unreasonable. Supp. Protest at 15-16. L&J Bldg. Maint., LLC, *supra*; see also TENICA and Associates, LLC; TEK Source USA, Inc.; Dynamic Systems Technology, Inc., B-411173.10 *et al.*, Mar 2, 2016, 2016 CPD ¶ 79 at 15-16 (agency reasonably evaluated past performance emphasizing similarity of tasks performed despite other aspects not being as relevant).

Additionally, with respect to the production experience factor, TDT alleges that the agency's discussions with it were misleading. In this regard, TDT contends that the agency engaged in misleading discussions when it "articulated a concern regarding TDT's experience **with laser engraving technology**, even though [the agency's] actual concern was that TDT's had not combined laser engraving with **color inkjet technology**." Protester's Comments at 20 (emphasis in original); *See* Protest at 11-13. The agency responds that it gave TDT the opportunity to address the identified weakness, but it assigned TDT the weakness because TDT still lacked experience in combining the three personalization technologies discussed in the solicitation. Supp. MOL at 24.

It is a fundamental principle of negotiated procurements that an agency may not mislead an offeror--through the framing of a discussion question or a response to a question--into responding in a manner that does not address the agency's concerns, or misinform the offeror concerning a problem with its proposal or about the government's requirements. Refinery Assocs. of Tex., Inc., B-410911.2, Mar. 18, 2015, 2015 CPD ¶ 116 at 6.

The record shows that, with respect to production experience, the agency informed TDT of its concern that, "[t]he Offeror has little experience with ePassport polycarbonate personalization programs, and their total combined experience with ePassport polycarbonate personalization is small compared to the requirements in the RFP. The Offeror provides only one example where it is currently personalizing passports, using a laser-engraving module The lack of significant experience with ePassport laser-engraving passports on a medium to large-scale contract is a risk to the Government given the anticipated volume of ePassport polycarbonate personalization per the RFP." AR, Tab 47, Discussions with TDT, at 2. However, after TDT addressed the agency's stated concern, the agency asserts that it nevertheless retained the weakness, because TDT did not demonstrate experience providing one personalization printer that provided laser engraving, high-speed color inkjet printing technology, and chip personalization. MOL at 26; Supp. TEP SOF at 24.⁴

⁴ In her statement, the TEP chair explains:

The Department sought demonstrated experience in all three technologies. The Department was not seeking a "single experience" or a
(continued...)

Our review of the record shows that the agency's true concern was not with TDT's lack of experience with large-volume passport polycarbonate (laser-engraving) personalization programs, as delineated in the discussion letter, but instead with TDT's lack of demonstrated experience with polycarbonate personalization programs utilizing personalization printers that were capable of laser engraving, high speed inkjet color printing, and chip personalization. As it appears that the agency did not raise its true concern with TDT, we conclude that the agency conducted misleading discussions. Refinery Assocs. of Tex., Inc., supra.

Since the record indicates the agency's discussions with TDT were misleading, we now turn to the issue of prejudice, as prejudice is an element of every viable protest. See Bannum, Inc., B-408838, Dec. 11, 2013, 2013 CPD ¶ 288 at 4 (concluding that prejudice is an element of every viable protest). The record shows that in response to discussions TDT revised its proposal to discuss not only its experience with laser-engraving polycarbonate personalization, but also highlight its experience with passport personalization utilizing chip personalization and color printing. AR, Tab 33, TDT Final Technical Proposal Revision, at 65. None of the identified contracts, however, appear to demonstrate experience in combining all three relevant technologies with respect to passport personalization. See id.

Further, in responding to the agency report, the protester contends that had it been given the opportunity to address the agency's concern it would have provided more examples of relevant experience, such as the fact that its "subcontractor has more experience with using color inkjet technology on passports than any company in the world." Protester's Comments at 20. The protester also asserts that it would have provided more details about a contract where it "combined black inkjet printing with laser engraving." Id. (emphasis added). Importantly, TDT does not contend that it would provide any information showing that it had experience with using color inkjet technology in combination with the other two personalization technologies--laser engraving on a polycarbonate data page and chip personalization--in one printer.

(...continued)

"single contract", but rather experience providing **one** personalization printer with all three personalization technologies. RFP Section L.3.1 and M.10 did not require the Offerors provide, and the TEP to evaluate, previous production experience with **each** of the proposed personalization printers. The main focus of the TEP was whether an offeror could demonstrate that its personalization printer had (and had previously performed) all of the requirements. . . . The TEP assigned a weakness because TDT had no color inkjet experience in combination with laser engraving on a polycarbonate data page and chip personalization in one ePassport printer.

Id. (emphasis in original).

Consequently, while we conclude that the agency may have engaged in misleading discussions, the protester has not shown that it would provide any information that would address the agency's actual concern. As such, we find that TDT was not prejudiced by the misleading discussions. See Glock, Inc., B-414401, June 5, 2017, 2017 CPD ¶ 180 at 11-12 (finding no prejudice despite identified evaluation error).

Best-Value Award Decision

Most of TDT's challenges to the agency's best-value tradeoff have been resolved above. What remains are the firm's arguments that the agency failed to properly weigh TDT's own advantage with respect to key personnel, that the SSA was allegedly not informed of certain material evaluation information,⁵ and that the agency failed to adequately document the award decision. See Protest at 20-21; Protester's Comments at 26-27; Second Supp. Protest at 3-5. We have reviewed the record and conclude that the record reasonably supports the agency's decision to award the contract to Integral. Furthermore, our review of the contemporaneous record and the post-protest explanations provided by the agency adequately support the agency's decision. See SSJ, B-413486, B-413486.2, Nov. 3, 2016, 2016 CPD ¶ 322 at 8-9 (finding reasonable post-protest explanation that provide a detailed rationale for contemporaneous conclusions and simply fills in previously unrecorded details).

With respect to the tradeoff decision, the SSA recognized that while both Integral and TDT's proposals received excellent ratings under the technical capability factor, Integral's proposal was technically superior under this factor. AR, Tab 49, Source Selection Decision, at 18. In this regard, the record shows that Integral's proposal was assigned six significant strengths and 18 strengths under the technical capability factor, whereas TDT's proposal was assigned one significant strength and 14 strengths under the same factor. Id. at 8-14. The SSA also found that TDT's rating "was due largely to its demonstration testing results alone as it had fewer features that offer superior advantage to the Government" Id. at 18. Contrasted with Integral's proposal, where the SSA found that "[i]n addition to its high demonstration test score, Integral's

⁵ For example, TDT filed a supplemental protest arguing that the SSA was not aware that Integral did not meet certain testing requirements until the fifth attempt during its demonstration printing test. Second Supp. Protest at 3-5. The agency responds that the information was included in the documentation provided to the SSA, the test results were based on faulty passport books provided by the government printing office, and most importantly, the testing requirement was deleted from the solicitation via Amendment 008 to the RFP. Second Supp. MOL at 2-4; AR, Tab 25, Amendment 008, at 1. We are provided no basis to question the evaluation in this regard. Furthermore, to the extent the protester now challenges the deletion of the relevant testing requirements, such a challenge to the terms of the solicitation is untimely. See 4 C.F.R. §21.2(a)(1); Bashir Najib National Transportation Services, B-408308.21, Aug. 20, 2014, 2014 CPD ¶ 243 at 4.

proposal had many more noteworthy strengths that provide significant advantage to the Government when compared to TDT's." Id.

The SSA also found Integral's proposal to be superior to TDT's under the production experience factor. In this regard, the SSA found that "Integral is supporting nearly a dozen countries with the same services that the Government is requesting. . . . which demonstrates that it can manage contracts of a similar dollar value to this requirement." Id. at 21. The SSA observed that while TDT had experience with various aspects of the scope of work, "it did not demonstrate the same level of production experience as shown by Integral. The majority of TDT's previous projects did not demonstrate similar complexity in scope" Id. The SSA noted that Integral's printers would offer "enhanced security capability and features as well as exceptional technology and operational advantages." Id. at 23-24. Moreover, he noted, "[t]he security capabilities and features offered by Integral's printers would make the U.S. passport almost impossible to counterfeit, ensuring that [it's] passport is the most secure travel document in the world." Id. at 24. The SSA concluded that Integral's proposal demonstrated exceptional understanding of the requirements and provided multiple superior advantages to the agency, which merited a price premium. Id.

While the agency made the decision to award the contract to Integral at a significant price premium, the record shows that the source selection decision set forth a reasonable basis for a tradeoff that justified making award to a higher-rated, higher-priced offeror. In this respect, where a solicitation emphasizes the greater importance of non-price factors over price, such as here, an agency has considerable discretion to award to a higher-rated offeror for a higher price.⁶ See WPI, B-288998.4, B-288998.5, Mar. 22, 2002, 2002 CPD ¶ 70 at 9-10. We are provided no basis to question the agency's discretion in this regard.

The protest is denied.

Thomas H. Armstrong
General Counsel

⁶ The protester does not directly challenge the reasonableness of the price proposed by Integral, instead it questions the merits of the agency's decision to pay a price premium for the relative technical benefits of Integral's proposal. See Protest at 20-21. In addition to the price/technical tradeoff justifying the price premium paid, the SSA also documented its price analysis, which showed that Integral's price was significantly below the independent government cost estimate (IGCE) of \$156,130,341. AR, Tab 49, Source Selection Decision, at 7. As the agency explains, the IGCE was based on market research consisting of pricing information from vendors offering printers capable of meeting the government's requirements. Id. However, the agency concluded that since formulating the IGCE, technological advances and market forces drove prices down. Id.