



DOCUMENT FOR PUBLIC RELEASE

The decision issued on the date below was subject to a GAO Protective Order. This redacted version has been approved for public release.

Decision

Matter of: Customer Value Partners, Inc.

File: B-415716.23

Date: April 4, 2019

Milton C. Johns, Esq., and Emily A. Spence, Esq., FH+H, PLLC, for the protester. Alexis J. Bernstein, Esq., Lieutenant Colonel Scott A. Van Schoyck, and Francis D. Hollifield III, Esq., Department of the Air Force, for the agency. Evan C. Williams, Esq., and Amy B. Pereira, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest challenging agency's evaluation of protester's proposal under the technical experience evaluation factor is denied where the record shows that the evaluation was reasonable and consistent with the solicitation.

DECISION

Customer Value Partners, Inc. (CVP), a small business of Fairfax, Virginia, protests the exclusion of its proposal from the competition by the Department of the Air Force under request for proposals (RFP) No. FA8771-17-R-1000 for information technology (IT) services.

We deny the protest.

BACKGROUND

On September 28, 2017, the Air Force issued the Small Business Enterprise Application Solutions (SBEAS) RFP, which was set aside for small businesses, pursuant to the procedures of Federal Acquisition Regulation (FAR) part 15. Agency Report (AR), Tab 5, RFP at 162.¹ The solicitation contemplated the award of 40 indefinite-delivery, indefinite-quantity (IDIQ) contracts with a 5-year base and 5-year option ordering period.

¹ Citations to the RFP are to the conformed copy provided by the agency. AR, Tab 5, RFP.

Id. at 138-139, 162. The scope of the SBEAS RFP included a “comprehensive suite of IT services and IT solutions to support IT systems and software development in a variety of environments and infrastructures.” Id. at 130. Additional IT services in the solicitation included, but were not limited to, “documentation, operations, deployment, cybersecurity, configuration management, training, commercial off-the-shelf (COTS) product management and utilization, technology refresh, data and information services, information display services and business analysis for IT programs.” Id.

Proposals were to be evaluated based on two factors, technical experience and past performance.² Id. at 164. The technical experience factor was comprised of ten technical elements and various sub-elements (each with a designated point value), and one non-technical experience element.³ Id. at 165-171. The past performance factor was comprised of the following three subfactors in descending order of importance: life-cycle software services, cybersecurity, and information technology business analysis. Id. at 164. Award was to be made on a past performance tradeoff basis among technically acceptable offerors, using the three past performance subfactors. Id. at 162.

Section L of the solicitation instructed offerors that “[t]he proposal shall be clear, specific, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims.” Id. at 142. Offerors were instructed to not simply rephrase or restate requirements, but to “provide [a] convincing rationale [addressing] how the [o]fferor’s proposal meets these requirements.” Id. The RFP also instructed offerors to assume that the agency has no knowledge of the offeror’s facilities and experience, and would “base its evaluation on the information presented in the [o]fferor’s proposal.” Id.

The solicitation provided that offerors should submit their proposals in four volumes: capability maturity model integration (CMMI) documentation, technical experience, past performance, and contract documentation. Id. at 145. As relevant to this protest, the

² The solicitation stated that pursuant to “10 U.S.C. § 2305(a)(3)(C), as amended by Section 825 of the National Defense Authorization Act (NDAA) for Fiscal Year 2017, the Government will not evaluate cost or price for the IDIQ contract. Cost or price to the Government will be considered in conjunction with the issuance of a task or delivery order under any contract awarded hereunder.” Id. at 162.

³ The technical experience factor was comprised of the following technical elements: life-cycle software services; cybersecurity; IT business analysis; programming languages/frameworks; tools/software development methodologies; platforms/environments; database components; mobile/internet of things; server operating systems; and COTS/GOTS (government-off-the-shelf)/FOSS (free and open source software) software, as well as the non-technical experience element of government facility clearance level. Id. at 165-171.

technical volume was to contain a table of contents, a cross-reference matrix,⁴ a glossary of terms, a self-scoring worksheet, and technical narratives.⁵ Id. at 149. The RFP instructed offerors to describe, in their technical narratives, experience that supports the technical element points claimed in the self-scoring worksheet. Id.

The solicitation stated that the agency intended to evaluate proposals and make awards without discussions to the offerors deemed responsible, and whose proposals conformed to the solicitation's requirements and were judged, based on the evaluation factors, to represent the best value to the government.⁶ Id. at 162-163.

Section M of the solicitation established a tiered evaluation process. Id. at 163-164. The first step of the evaluation was a CMMI appraisal, which required offerors to be certified at level 2 in CMMI.⁷ Id. If an offeror passed the CMMI appraisal as level 2 certified, the agency would then evaluate an offeror's technical experience using the self-scoring worksheet and technical narratives provided by the offeror. Id. at 164. The solicitation provided that technical experience would receive an adjectival rating of acceptable or unacceptable. Id. at 164-165. A proposal would be considered acceptable when it attained 4,200 points per the self-scoring worksheet, and was "verified per the technical narratives." Id. at 165.

In the event that technical experience was evaluated as acceptable, the agency would then evaluate the offeror's past performance. Id. at 164. The agency would review the accompanying past performance narratives and evaluate each offeror's past performance references for recency, relevancy, and quality.⁸ Id. at 172.

⁴ The RFP's instructions directed offerors to complete a cross-reference matrix, which was attached to the solicitation. Id. at 146, 179-183. The offeror's cross-reference matrix was required to demonstrate "traceability" between the offeror's contract references. Id. at 146. An offeror's cross-reference matrix was required to show "which contract references [were] used to satisfy each technical element and each past performance sub-factor." Id.

⁵ The solicitation allowed offerors to provide up to six contract references, each of which was to have its own technical narrative, to demonstrate its technical experience. Id. at 149. Technical narratives were to be submitted in numerical order. Id.

⁶ The agency's estimated value for all of the SBEAS contract awards is a maximum of \$13.4 billion. Contracting Officer's Statement (COS) at 3.

⁷ CMMI is a process level improvement training and appraisal program that is administered by the CMMI Institute.

⁸ The RFP provided that each offeror must receive a confidence rating of "[s]atisfactory or higher" for each past performance subfactor in order to be eligible for award. Id. at 164.

CVP timely submitted its proposal in response to the solicitation. On December 21, the agency notified CVP that its proposal was considered unacceptable and had been eliminated from further consideration because its proposal, having only received 3,500 points, did not receive the minimum required 4,200 points under the technical experience factor. AR, Tab 10, CVP Notice of Removal from Competition (Dec. 21, 2018) at 1. On December 31, following its debriefing, CVP filed this protest with our Office.

DISCUSSION

CVP challenges the agency's exclusion of its proposal from the competition, asserting that the agency failed to properly evaluate its proposal under the technical experience factor. Specifically, the protester argues that the agency unreasonably deducted points under the developing/implementation sub-element of the life-cycle software services element, and the Not Only Structured Query Language (NoSQL) sub-element of the database components element. In this regard, CVP contends that the agency's evaluation "ignored" portions of its proposal "that clearly stated the required content of the sub-elements." Protest at 6. Because the solicitation provided that an offeror must score a minimum of 4,200 points to be rated technically acceptable, for the reasons discussed below, we need only address the agency's evaluation of CVP's proposal with regard to the developing/implementation sub-element of the life-cycle software services element.

Our Office will examine an agency's evaluation of an offeror's technical experience only to ensure that it was reasonable and consistent with the stated evaluation criteria and applicable statutes and regulations. See Shumaker Trucking & Excavating Contractors, Inc., B-290732, Sept. 25, 2002, 2002 CPD ¶ 169 at 3. A protester's disagreement with a procuring agency's judgment, without more, is insufficient to establish that the agency acted unreasonably. WingGate Travel, Inc., B-412921, July 1, 2016, 2016 CPD ¶ 179 at 4-5. In addition, it is an offeror's responsibility to submit an adequately written proposal with adequately detailed information which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. See International Med. Corps, B-403688, Dec. 6, 2010, 2010 CPD ¶ 292 at 8. An offeror's technical evaluation is dependent on the information furnished, and an offeror that fails to submit an adequately written proposal runs the risk of having its proposal downgraded. LOGMET, B-400535, Oct. 30, 2008, 2008 CPD ¶ 199 at 3.

The life-cycle software services element was comprised of five sub-elements: developing/implementation; re-engineering; data or system migration; modernization; and COTS/GOTS/FOSS enterprise resource planning software systems. RFP at 165-166. To receive the 500 points available under the developing/implementation sub-element, an offeror was required to demonstrate experience in the design, build, test, and implementation of an information system in each of the following four areas:

- The process of implementing software solutions to one or more sets of problems. [design]

- The process by which source code is converted into a stand-alone form that can be run on a computer or to the form itself. One of the most important steps of a software build is the compilation process, where source code files are converted into executable code. [build]
- Obtaining, verifying, or providing data for any of the following: the performance, operational capability, and suitability of systems, subsystems, components, or equipment items; or vulnerability and lethality of systems, subsystems, components, or equipment items. [test]
- Planning; coordinating; scheduling; deploying/installing (or providing all needed technical assistance to deploy/install) and transitioning a technical solution (e.g., information system) into the operational environment. [implementation]

RFP at 165-166,185; COS at 9.

The agency's evaluation concluded that while CVP's proposal contained sufficient build experience, the proposal did not demonstrate design, test, or implementation experience as required by the solicitation. AR, Tab 9, CVP Technical Evaluation, at 2-3. Finding CVP to lack experience in at least one specific area, the agency awarded it no points for the developing/implementation sub-element. Id. at 3. CVP protests the agency's evaluation under this sub-element, arguing that the agency should have found that its proposal demonstrated experience in all four specific areas. Protest at 6-9.

With respect to the agency's determination that its proposal did not demonstrate experience in testing an information system, the protester asserts that its proposal provided all of the required information. In this regard, the protester argues that its proposal, in technical narratives one and four, validated its claimed experience verifying data for vulnerability and lethality of systems. Comments at 4-6. In response, the agency contends that CVP's proposal lacked necessary detail to demonstrate the claimed experience. COS at 14-15; Memorandum of Law (MOL) at 16-17. Based upon our review of the record, we find reasonable the agency's determination that the protester failed to demonstrate experience in testing an information system.

The agency reviewed technical narrative one (TN 1) of CVP's proposal and found that it did not demonstrate experience "obtaining, verifying, and providing data for performance, operational capability, and suitability of systems, subsystems, [and] components." AR, Tab 9, CVP Technical Evaluation, at 2-3. The protester challenges this finding, arguing that TN 1 describes an example of a software application that it uses to test an information system. Protest at 8. In this regard, TN 1 stated, in pertinent part:

Security software is also used to ensure there are no vulnerabilities and lethality of systems, subsystems, and components.

All software projects are planned, coordinated and scheduled using tools such as [DELETED] to track user stories for each sprint and subsequent release. Once software solutions reside in the operational environment, tools such as [DELETED] are used to track the performance, operational capability and suitability of the systems.

AR, Tab 6, CVP Proposal, Vol. II, Technical Experience, at 11. Citing this portion of CVP's proposal, the agency found the description inadequate to demonstrate the required testing experience, noting that "[s]tating a tool is used does not demonstrate the offeror's experience using the tool." AR, Tab 9, CVP Technical Evaluation, at 2. In response to the protest, the agency further explains that while CVP's proposal states a generic approach to use "tools such as [DELETED]" and "[s]ecurity software" to accomplish broad objectives, CVP fails to state how it used these tools to obtain, verify, or provide data on an information system. COS at 14; MOL at 16. Notwithstanding the fact that CVP's proposal identified an example of a tool it used, we find no basis to question the agency's determination that the protester failed to include adequate detail concerning how the tool was used to test an information system.

The protester also argues that the agency evaluated TN 1 in a manner inconsistent with the RFP by requiring CVP to demonstrate experience using a unique--as opposed to generic--technical approach to testing. Comments at 5. On this point, the agency states that while the RFP does not require the use of a testing tool, CVP nevertheless failed to demonstrate its testing experience, as required by the solicitation. COS at 15. According to the agency, because CVP's proposal does not identify what data was obtained, verified, or provided, it essentially invites the agency to infer CVP has the required experience. Id. at 14. As noted above, the RFP instructed offerors that proposals "shall be clear, specific, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims." RFP at 142. While we acknowledge that CVP's proposal identifies general methods of testing, we agree with the agency that its proposal does not provide sufficient information demonstrating its experience actually using the tools it referenced in its proposal to test an information system. Consequently, we find that the agency reasonably determined that TN 1 failed to demonstrate experience in testing of an information system, as required by the solicitation.

The agency also evaluated technical narrative four (TN 4), which stated that "[u]sing [DELETED]," CVP is able to "iterate through all aspects of development, including requirements analysis, systems architecture definition, database, software and user interface design, coding and testing." AR, Tab 6, CVP Proposal, Vol. II, Technical Experience, at 21. In its evaluation, the agency found that CVP's proposal included a general description of its development processes, but that it did not demonstrate "the offeror's experience designing, building[,] testing and implementing" an information system. AR, Tab 9, CVP Technical Evaluation, at 3. In this respect, the agency explains that the proposal does not reflect any experience obtaining, verifying, or providing data on an information system in order to test performance. COS at 23. As stated above, it was CVP's responsibility to prepare a well-written proposal.

International Med. Corps., supra. Here, we agree with the agency that the protester's proposal failed to clearly provide all of the information required by the solicitation. First, CVP's proposal failed to explain its experience using its approach to testing on the information system identified in TN 4. Additionally, CVP's proposal neither described what data was obtained, verified, or provided, nor does it describe what aspects of the information system's performance, capability, or suitability were tested. Therefore, we find that CVP's argument that it provided adequate detail in TN 4, amounts to disagreement with the agency's evaluation, which, without more, is insufficient to establish that the agency's evaluation under this sub-element was unreasonable.

As stated above, in order to receive the 500 points available under the developing/implementation sub-element, offerors were required to demonstrate experience in all four areas of this sub-element. Because we find reasonable the agency's determination that the protester failed to demonstrate experience in the process of testing an information system, we need not address the protester's arguments with regard to the other areas of this sub-element. Even if the protester were to prevail on its challenges to the agency's evaluation regarding design and implementation, the protester could not receive the points available under this sub-element. This protest ground is denied.⁹

Given our conclusion that the agency's evaluation of the developing/implementation sub-element of the life-cycle software service element was reasonable, we need not address the protester's challenge to the agency's evaluation under the NoSQL sub-element of the database components element because even if CVP were to prevail with regard to its challenges regarding this sub-element, its proposal would remain technically unacceptable. As stated above, a proposal must receive a score of at least 4,200 points to receive a technical score of acceptable, and CVP's technical proposal received a score of 3,500 points. Thus, even if our Office agreed with CVP regarding its other alleged evaluation errors, this would only afford CVP an additional 200 points, for a total technical score of 3,700, which is 500 points below the score necessary for a technically acceptable score.

The protest is denied.

Thomas H. Armstrong
General Counsel

⁹ CVP has presented arguments that are in addition to, or variations of, those discussed above. We have considered all of CVP's allegations and find no basis to sustain the protest.