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Decision

Matter of: S2 Analytical Solutions, LLC

File: B-416513; B-416513.2

Date: October 1, 2018

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Marci A. Lawson, Esq., Kenneth Sachs, Esq., Jill O'Connor, Esq., and Joseph Fleishman, Esq., National Geospatial-Intelligence Agency, for the agency.
Michael Willems, Esq., and Edward Goldstein, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest that agency erred in finding proposal unacceptable for failing to demonstrate that the individual proposed for a key position possessed educational requirements specified in the solicitation is denied where the proposal did not explain in what way the individual's degrees were responsive, and did not accurately reflect the candidate's degrees.

DECISION

S2 Analytical Solutions, of Herndon, Virginia, protests the issuance of a task order to WiSC Enterprises, of Chantilly, Virginia, under request for proposals (RFP) No. TO41, which was issued by the National Geospatial-Intelligence Agency (NGA), under the agency's "Emerald" multiple-award indefinite-delivery, indefinite-quantity (IDIQ) contract, for engineering support services. The protester alleges that the agency erred in evaluating its proposal, and in making its best-value tradeoff decision.

We deny the protest.

BACKGROUND

The RFP contemplated the issuance of a single fixed-price, level-of-effort task order for engineering and consultant services. Agency Report (AR), Memorandum of Law (MOL) at 3. The RFP included four technical evaluation criteria: (1) resumes and skill level;

(2) optional positions; (3) position identification matrix; and (4) organizational conflict of interest strategy. AR, Tab A3, RFP at 1. The latter three criteria would be evaluated on a pass/fail basis, while the resumes and skill level evaluation criterion would be assigned one of the following adjectival ratings: (1) far exceeds; (2) exceeds; (3) meets; or (4) unacceptable. RFP at 1-3. The RFP instructed offerors to propose specific individuals for four critical positions and to provide resumes for those individuals. RFP at 1-2; AR, Tab A3A, Statement of Work (SOW) at 9. Of note, the RFP identified both required and desired skills that should be reflected in the provided resumes. RFP at 2. The RFP further indicated that resumes which failed to demonstrate required skills would result in an unacceptable rating. Id. Relevant to this protest, the SOW required that the individual proposed for the “Program Manager - Acquisition (Expert-Lifecycle Acquisition)” critical position must possess a bachelor’s degree in “Information Systems, Business or a related field such as Economics, Accounting, or Finance.” SOW at 13-14. The RFP indicated that award would be made on the basis of a best-value tradeoff in which the technical factors, when combined, were significantly more important than price. RFP at 4.

Following the issuance of the RFP, the agency received several clarification questions from prospective offerors. AR, Tab A5, Questions and Answers. Among these questions were two requests for the agency to amend the degree requirements to allow offerors to propose candidates with technical or geospatial-intelligence-related degrees, because the degree requirement as stated was too restrictive. AR, Tab A5, Questions and Answers at 10-11. The agency responded by noting that the degree requirement already allowed for a variety of degree fields, was not restrictive, and would not be changed. Id.

The agency received timely proposals from all six contract holders under the Emerald contract, including S2 and WiSC. MOL at 3. Following the evaluation of the proposals, the agency concluded that S2’s proposal was unacceptable because the individual it proposed for the acquisition program manager critical position did not possess the degree required by the solicitation. Specifically, the individual did not possess a bachelor’s degree in “Information Systems, Business or a related field such as Economics, Accounting, or Finance.” MOL at 7-8. The agency conducted a best-value tradeoff among the other acceptable offerors, resulting in the issuance of a task order to WiSC in the amount of \$52,999,968.¹ Id. at 10-11. On June 8, the agency provided a written debriefing to S2. Id. S2 raised several questions concerning the debriefing, which the agency answered on June 19. Id. This protest followed.

¹ The awarded value of the task order at issue exceeds \$25 million. Accordingly, this procurement is within our jurisdiction to hear protests related to the issuance of orders under multiple-award IDIQ contracts. 10 U.S.C. § 2304c(e)(1)(B).

DISCUSSION

The protester argues, among other things, that the agency unreasonably concluded that its candidate for the acquisition program manager critical position did not satisfy the degree requirement set forth in the solicitation.² Protest at 10-21. Specifically, the protester notes that the candidate's resume indicated that the individual received a bachelor's degree in "Geography/Geographic Information Systems," which was awarded in 1989, as well as a doctorate in "Engineering Management and Engineering Systems," which was awarded in 1999.³ AR, Tab B2, S2's Technical Proposal for Factor 1 at 1. According to the protester, both degrees are either degrees in Information Systems or a field related to Information Systems, and therefore satisfy the degree requirement set forth in the SOW.⁴ Protest at 10-13.⁵ Id.

Although the candidate's degree titles included language suggesting some background in fields related to "information systems" and "engineering systems," the agency maintains that it was not apparent, from the degree titles, whether the degrees responded to the SOW requirement for a bachelor's degree in "Information Systems, Business or a related field such as Economics, Accounting, or Finance." MOL at 13-14; AR, Tab G1, Affidavit of Technical Team Lead at 2-3. This was particularly the case where the degrees were in fields related to geography and engineering. Id. Furthermore, the evaluators had doubts about the accuracy of the titles of the degrees

² The protester also challenges several other aspects of the agency's evaluation and the agency's best-value tradeoff. Protest at 10-21. Because we conclude that the agency reasonably found the protester's proposal unacceptable, we need not address these additional arguments.

³ The protester's candidate also received a master's degree in "Geodetic Science and Surveying," which the protester does not suggest could satisfy the SOW's requirement. AR, Tab B2, S2's Technical Proposal for Factor 1 at 1.

⁴ The protester also filed a supplemental protest alleging that the agency overlooked various faults in the awardee's proposal which should have rendered the awardee's proposal unacceptable. Protester's Comments & Supp. Protest at 13-21. Our Office dismissed that supplemental protest on the basis that the protester was not an interested party to contest the acceptability of the awardee, because there was another intervening acceptable offeror whose proposal the protester had not challenged. Notice of Resolution of Request to Dismiss at 1.

⁵ We note that, in support of this argument, the protester has provided its candidate's unofficial doctoral transcripts allegedly showing coursework related to information systems. Protester's Comments & Supp. Protest, exh. A. However, this transcript was not available to the agency when it conducted its technical evaluation so is of limited relevance here. The protester has not similarly provided the individual's undergraduate transcripts, which the protester attributed to delays in receiving the transcript by mail. Protester's Comments on Agency Supp. Response at 2.

reflected in the candidate's resume. For example, they questioned whether a degree in the comparatively modern field of "Geographic Information Systems" was awarded in 1989, and they were concerned that a degree solely in geography would not meet the requirements. Id.

Upon consulting the website of the degree-granting institution, the agency discovered that the identified institution did not grant a bachelor's degree in "Geography/Geographic Information Systems" or in "Geographic Information Systems" in 1989, or since. MOL at 13-14; AR, Tab G1, Affidavit of Technical Team Lead at 2-3. The agency discovered that the institution, instead, granted only degrees in "Geography." Id. Likewise, the agency discovered that no Ph.D. in "Engineering Management and Engineering Systems" was granted by the university identified for the individual's doctorate; rather, the institution only offered a Ph.D. program in "Engineering Management." Id. Despite these discrepancies in the candidate's resume,⁶ the agency represents that it reviewed the publicly available curriculum information for degrees in "Geography" and "Engineering Management" at the relevant institutions, and concluded that neither one satisfied the SOW's degree requirement. Id.

Where an evaluation is challenged, our Office will not reevaluate proposals but instead will examine the record to determine whether the agency's judgment was reasonable and consistent with the stated evaluation criteria and applicable statutes and regulations. Lear Siegler Servs., Inc., B-280834, B-280834.2, Nov. 25, 1998, 98-2 CPD ¶ 136 at 7. Furthermore, it is an offeror's responsibility to submit a well-written proposal, with adequately detailed information which clearly demonstrates compliance with the solicitation requirements, and an offeror risks having its proposal evaluated unfavorably where it fails to submit an adequately written proposal. See International Med. Corps, B-403688, Dec. 6, 2010, 2010 CPD ¶ 292 at 7; STG, Inc., B-411415, B-411415.2, July 22, 2015, 2015 CPD ¶ 240 at 5-6. Agencies are not required to infer information from an inadequately detailed proposal, or to supply information that the protester elected not to provide. Optimization Consulting, Inc., B-407377, B-407377.2, Dec. 28, 2012, 2013 CPD ¶ 16 at 9 n.17.

Here, the record reflects that the protester's proposal failed to describe how the degrees for one of its key personnel positions met the requirements of the RFP, other than by virtue of the alleged titles of the degrees, and a claim that they exceeded the requirements of the RFP. AR, Tab B2, S2's Technical Proposal for Factor 1 at 1. Accordingly, we cannot conclude that the agency erred in closely considering the

⁶ The intervenor argues that these discrepancies amount to resume misstatement, and that we need not reach the agency's subsequent evaluation as the agency should have found the protester's proposal to be unacceptable at the point that it identified the resume misstatement. Intervenor's Comments on the Agency Report at 5-7. However, in this case, the agency did not cease its evaluation at that point, but rather continued to evaluate on the basis of the information available to it, and accordingly we will assess the reasonableness of that subsequent evaluation.

degree titles as part of its evaluation based on its experience and expertise.⁷ Likewise, we cannot conclude that the agency erred in seeking additional information to assess the nature of the degrees and how they related to the requirements of the SOW where the agency had questions regarding the nature of the purported degrees. The agency's inquiry revealed that the degrees in question were not described correctly in the protester's proposal. MOL at 13-14; AR, Tab G1, Affidavit of Technical Team Lead at 2-3. Tellingly, the portions of the degree titles that were inaccurate were precisely the portions of the degree titles suggesting that the degrees could be responsive to the SOW's requirements. Id.

For example, the protester made much of the fact that the candidate's undergraduate degree was in "Geography/Geographic Information Systems" and his doctoral degree was in "Engineering Management and Systems Engineering." Protest at 8 (emphasis in original). As noted above, however, the agency specifically found that the emphasized portions of the degree titles were not parts of any actual degree title offered by the granting universities. MOL at 13-14; AR, Tab G1, Affidavit of Technical Team Lead at 2-3. Furthermore, the protester has not, in its proposal or in this protest, demonstrated that the degrees were correctly described in its proposal: the transcript the protester provided for the individual's doctoral degree confirms that the degree major was titled "Engineering Management," and no transcript has been provided for the bachelor's degree. See Protester's Comments & Supp. Protest, exh. A at 8.

Having found that the degrees were other than described, the agency, nonetheless, evaluated the proposal using the closest degrees it could identify based on the information provided in the proposal. The agency, however, concluded that the

⁷ The protester argues that we should disregard the agency's explanation of its evaluation methodology as it was not documented in the contemporaneous record. Protester's Comments on the Agency's Supp. Response at 3-4 (citing Boeing Sikorsky Aircraft Support, B-277263.2, B-277263.3, Sept. 29, 1997, 97-2 CPD ¶ 91). Where an agency offers post-protest explanations that provide a detailed rationale for contemporaneous conclusions and simply fill in previously unrecorded details, we will consider them so long as those explanations are credible and consistent with the contemporaneous record. Management Sys. Int'l, Inc., B-409415, B-409415.2, Apr. 2, 2014, 2014 CPD ¶ 117 at 6. In this case, we find the agency's present explanations to be credible and consistent with the documented record. For example, both the technical evaluation report and the source selection decision document refer to the candidate's undergraduate degree as a degree in "Geography," rather than using the degree title given on the candidate's resume, which is consistent with the agency's later representations concerning its evaluation findings. AR, Tab D1, S2 Consensus Technical Evaluation Report at 1; AR, Tab E1, Source Selection Decision Document at 8. Accordingly, we do not agree with the protester that our decision in Boeing Sikorsky Aircraft Support is applicable here, and we will consider the agency's subsequent, consistent explanations. See INDUS Technology, Inc., B-411702 et al., Sept. 29, 2015, 2015 CPD ¶ 304 at 5 n.4.

candidate's degrees in geography and engineering management did not meet the requirement for a degree in information systems, business or a related field such as economics, accounting, or finance, as required by the solicitation.⁸ Id. As noted above, it is the protester's responsibility to prepare a well-written proposal. Here, the protester provided inaccurate information concerning its candidate's degrees, and also failed to provide any relevant information about those degrees that may have led the agency to reach a different conclusion in its evaluation. Accordingly, we find no basis to question the agency's evaluation of the candidate's degrees or its conclusion that the protester's proposal was unacceptable.

The protest is denied.

Thomas H. Armstrong
General Counsel

⁸ This is especially salient as the agency specifically declined to amend the solicitation to allow for the submission of candidates with technical or geospatial-intelligence-related degrees, such as the degrees possessed by the protester's candidate. AR, Tab A5, Questions and Answers at 10-11