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# Decision

**Matter of:** Deloitte Consulting, LLP

**File:** B-416882.4

**Date:** January 6, 2020

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Seeta Rebbapragada, Esq., and Douglas Kornreich, Esq., Department of Health and Human Services, for the agency.

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## DIGEST

Protest challenging the agency's evaluation of the protester's quotation as unacceptable is denied where the agency reasonably found, consistent with the stated evaluation criteria, that one of the protester's proposed key personnel failed to satisfy the solicitation's minimum requirements.

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## DECISION

Deloitte Consulting, LLP, of Arlington, Virginia, protests the establishment of a blanket purchase agreement (BPA) and issuance of a task order to Guidehouse LLP, of McLean, Virginia, under request for quotations (RFQ) No. FDA-RFQ-18-119234, issued by the Department of Health and Human Services, Food and Drug Administration (FDA), for information technology services in support of the agency's integrated budget, acquisition, and planning system. The protester contends that the agency unreasonably concluded that its quotation was unacceptable and disqualified it from the competition.

We deny the protest.

## BACKGROUND

FDA issued the solicitation on March 26, 2018, using Federal Acquisition Regulation (FAR) subpart 8.4 procedures. Agency Report (AR), Tab 4, RFQ Instructions and Evaluation, amend. 2, at 1, 3. The RFQ was issued to vendors holding Federal Supply

Schedule (FSS) contracts under General Services Administration (GSA) Information Technology Schedule 70. AR, Tab 2, GSA e-Buy RFQ Summary, at 1. The RFQ contemplated a single-award BPA with an estimated value of \$112 million and a period of performance consisting of a 12-month base period and four 1-year option periods. AR, Tab 2, GSA e-Buy RFQ Summary, at 1; Tab 2B, BPA Statement of Work (SOW) and Terms and Conditions, at 41.

The RFQ included the following evaluation factors, in descending order of importance: technical approach, relevant experience, and price.<sup>1</sup> AR, Tab 4, RFQ Instructions and Evaluation, amend. 2, at 13. The technical approach factor included the following three subfactors: (1) technical approach to the operations and maintenance support SOW; (2) technical approach to Center for Drug Evaluation and Research (CDER) child application development, modernization, and enhancement (DME) SOW; and (3) general approach to BPA task area No. 5 - business transformation activities. Id. The RFQ stated that award was to be made to the responsible vendor whose quotation represented the best value to the government, using a tradeoff where the non-price factors, when combined, were significantly more important than price. Id.

As relevant to the protest, the technical approach to the CDER DME SOW subfactor required the submission of resumes for qualified key personnel, one of which was an enterprise solutions architect. AR, Tab 4, RFQ Instructions and Evaluation, amend. 2, at 10; Tab 3C, Amended RFQ CDER SOW at 17. The agency was to evaluate the relevance of each listed key person's experience, knowledge, certification, and identified skill sets for the ability to successfully complete the activities listed in the CDER DME SOW. AR, Tab 4, RFQ Instructions and Evaluation, amend. 2, at 15. In pertinent part, the RFQ required that the proposed enterprise solutions architect satisfy the following minimum qualifications:

- Possesses extensive knowledge of and hands-on experience with [Oracle] Hyperion or [Oracle Business Intelligence Suite, Enterprise Edition (OBIEE)] or custom applications  
Minimum Skills/Qualifications: At least 10 years [of] experience in Oracle Enterprise [P]erformance Management [(EPM)] or OBIEE Oracle [Applications Development Framework (ADF)] or Custom [user interface (UI)] (Java, Angular [JavaScript (JS)], Visual Studio, .Net) applications. Has Public Sector experience.

AR, Tab 2F, Labor Category Descriptions, at cell C10.

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<sup>1</sup> The agency was to evaluate the non-price factors with an adjectival rating of excellent, highly satisfactory, satisfactory, or unsatisfactory. AR, Tab 4, RFQ Instructions and Evaluation, amend. 2, at 14. A rating of unsatisfactory meant the quotation contained one or more significant weaknesses or deficiencies. AR, Tab 12, Award Summary Memorandum, at 4.

The agency received quotations from Deloitte and Guidehouse.<sup>2</sup> COS at 2. After reviewing the quotations, the agency established a BPA with Deloitte, and two protests followed; our Office dismissed both protests as academic because the agency elected to take corrective action by reopening the procurement. COS at 3; see also Guidehouse, LLP, B-416882, Oct. 31, 2018 (unpublished decision); Guidehouse LLP, B-416882.2, B-416882.3, July 29, 2019 (unpublished decision). On August 2, 2019, the agency issued an amendment to the RFQ, and held exchanges with both vendors during which the agency provided new instructions regarding key personnel. COS at 4-5. In pertinent part, the agency requested as follows:

Please provide a crosswalk from the experience and skills of the proposed key personnel to the skills, qualifications and minimum years of experience (where applicable) listed in the position descriptions in [the RFQ's labor category descriptions]. Note from which positions held the proposed key personnel obtained the aforementioned skills, qualifications, and minimum years of experience (where applicable).

AR, Tab 8, Deloitte Exchange, Aug. 2, 2019, at 2. On August 26, the agency advised Deloitte that its proposed enterprise solutions architect did not meet the minimum 10 years of experience in Oracle EPM, OBIEE framework, or custom UI applications. AR, Tab 10, Deloitte Exchange No. 2, Aug. 26, 2019, at 2. On August 28, Deloitte submitted a revised quotation which included a new proposed enterprise solutions architect. AR, Tab 11, Deloitte Revised Quotation, at A-22-24, A-27-30.

In its final evaluation, the technical evaluation team identified a weakness regarding the enterprise solutions architect Deloitte proposed in its revised quotation. The evaluation team concluded that the individual did not possess the minimum 10 years of experience in Oracle EPM, OBIEE framework, or custom UI applications. AR, Tab 16, Technical Report Addendum, at 5. The evaluation team noted that although Deloitte's quotation stated that the individual had 25 years of experience in public sector budgeting, it also indicated only approximately eight years of experience with Oracle EPM and OBIEE. Id. Because the proposed enterprise solutions architect did not meet the RFQ's minimum requirements, the evaluation team concluded that this constituted a flaw in Deloitte's quotation that increased the risk of unsuccessful contract performance. Id. The contracting officer, who also served as the selection official, agreed with the evaluation team and concluded that Deloitte's proposal was technically unacceptable and assigned an overall rating of unsatisfactory. AR, Tab 12, Award Summary Memorandum, at 6.

On September 27, 2019, FDA notified Deloitte that it had established the BPA with and issued a task order to Guidehouse. AR, Tab 13, Award Notice, at 1. Deloitte requested

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<sup>2</sup> We note that at the time of quotation submission, Guidehouse was known as PricewaterhouseCoopers Public Sector, LLP. Contracting Officer's Statement (COS) at 2.

a brief explanation of the basis for award decision, and was advised that its quotation was determined to be technically unacceptable because the proposed enterprise solutions architect did not meet the RFQ's minimum requirement of 10 years of experience with Oracle EPM, OBIEE Oracle ADF, or custom UI (Java, Angular JS, Visual Studio, .net) applications. AR, Tab 14, Deloitte Brief Explanation, at 2. This protest followed.

## DISCUSSION

Deloitte argues that FDA's evaluation of its proposed enterprise solutions architect was unreasonable and failed to credit the candidate with the relevant experience listed in the resume and crosswalk. Specifically, Deloitte argues that the resume explicitly stated that the proposed candidate possessed over 20 years of experience using Hyperion and Essbase, which are "core technologies of the Oracle [EPM] that [pre-date] Oracle's 2007 acquisition of Hyperion and their subsequent rebranding of the software." Protest at 9. The protester argues that Hyperion, Essbase, and Oracle EPM are one and the same, and the agency's failure to credit its proposed enterprise solutions architect with possessing the requisite experience was arbitrary and unreasonable. Id. at 10-13.

The agency argues that its evaluation was reasonable and consistent with the stated evaluation criteria and that the burden was on the vendor to demonstrate that the key personnel met the solicitation's requirements, which Deloitte failed to do. Memorandum of Law (MOL) at 7-8. The agency "agrees with Deloitte that Hyperion and Essbase are part of Oracle [EPM] suite of applications," and argues that it did properly credit the candidate for this experience when it nevertheless concluded that the individual lacked a minimum of 10 years of experience in Oracle EPM, OBIEE framework, or custom UI applications, as required by the RFQ. COS at 9; MOL at 9-10.

Where, as here, an agency issues a solicitation to FSS contractors under FAR subpart 8.4 and conducts a competition, we will review the record to ensure that the evaluation was reasonable and consistent with the terms of the solicitation. Digital Solutions, Inc., B-402067, Jan. 12, 2010, 2010 CPD ¶ 26 at 3-4. In reviewing a protest challenging an agency's technical evaluation, our Office will not reevaluate quotations; rather, we will examine the record to determine whether the agency's evaluation was reasonable and consistent with the terms of the solicitation and applicable procurement statutes and regulations. OPTIMUS Corp., B-400777, Jan. 26, 2009, 2009 CPD ¶ 33 at 4. A protester's disagreement with the agency's judgments does not establish that the evaluation was unreasonable. Amyx, Inc., B-410623, B-410623.2, Jan. 16, 2015, 2015 CPD ¶ 45 at 6. As explained below, we find that the agency's evaluation here was reasonable and that the record supports the agency's conclusion that Deloitte's quotation was unacceptable.

Here, the resume submitted for Deloitte's proposed enterprise solutions architect stated that the proposed candidate possessed "20+ years of Hyperion and Essbase experience." AR, Tab 11, Deloitte Revised Quotation, at A-22. However, as noted, the evaluation team identified as a weakness in Deloitte's quotation that its proposed

enterprise solutions architect lacked a minimum of 10 years of experience in Oracle EPM, OBIEE framework, or custom UI applications. To confirm the evaluation team's conclusion, the contracting officer reviewed the resume and crosswalk, and found that some of the dates listed in the detailed work history overlapped where the proposed candidate worked simultaneously for different employers. COS at 7; see also AR, Tab 11, Deloitte Revised Quotation, at A-22-23. To compute the length of experience with Oracle EPM, OBIEE framework, or custom UI applications, the contracting officer eliminated duplicative periods of time for the overlapping and simultaneous employment, and only credited the total time worked with the required systems. COS at 7-8. The contracting officer's computation showed that the proposed candidate had a total of 99 months, or 8.25 years, of relevant experience. Id. at 8. As a result, the agency concluded as follows:

[A] review of the resume showed that [the proposed enterprise solutions architect] only has approximately eight years of experience in Oracle EPM and OBIEE. This does not meet the minimum requirement of at least ten years [of] experience in Oracle [EPM] or OBIEE Oracle ADF [] or Custom UI (Java, Angular JS, Visual Studio, .Net) applications.

A quote that fails to conform to a material solicitation requirement is technically unacceptable and cannot form the basis for award. Qualifications for key personnel, specifically where the solicitation requires resumes for key personnel, are material requirements of a solicitation such that an offeror's failure to propose personnel meeting those requirements would render a proposal unacceptable, and therefore unawardable. . . . Deloitte's failure to propose an enterprise solutions architect that meets the minimum requirements renders its quote unacceptable and unawardable.

AR, Tab 12, Award Summary Memorandum, at 6.

The protester argues that the agency's evaluation is unreasonable because the agency overlooked the statement in the resume that clearly states the proposed candidate has "20+ years of Hyperion and Essbase experience." Comments at 4-6. The protester further argues that even if the agency's computation of 8.25 years of "enumerated" Oracle experience was proper, a reasonable reading of the entire resume--one that also considered the individual's 21 years of experience and 16 Oracle EPM/OBIEE projects--would have resulted in the conclusion that the minimum requirements were satisfied.<sup>3</sup> Id. at 8. We disagree.

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<sup>3</sup> The protester also argues that there is nothing in the contemporaneous record showing the agency reviewed Deloitte's crosswalk and that the only document that mentions the crosswalk is the contracting officer's statement submitted in response to the protest. Comments at 7. Contrary to the protester's allegation, the agency's award summary specifically concludes that Deloitte's proposed enterprise solutions architect

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It is a vendor's responsibility to submit an adequately written quotation that establishes its technical capability and the merits of its proposed approach, and allows for meaningful review by the procuring agency in accordance with the evaluation terms of the solicitation. Consummate Computer Consultants Sys., LLC, B-410566.2, June 8, 2015, 2015 CPD ¶ 176 at 6 (finding reasonable an agency's conclusion that while the resumes restated the qualifications required by the RFQ, the accompanying work histories did not clearly demonstrate that the proposed key personnel had the required qualifications). Where a solicitation states that the qualifications of key personnel will be evaluated, and a quotation fails to demonstrate that key personnel hold qualifications that the solicitation requires them to possess, the quotation may be evaluated as unacceptable. See ICI Servs. Corp., B-411812, B-411812.2, Sept., 21, 2015, 2015 CPD ¶ 288 at 5.

Here, the agency explicitly requested that Deloitte "provide a crosswalk from the experience and skills of the proposed key personnel to the skills, qualifications and minimum years of experience (where applicable) listed in the position descriptions." AR, Tab 8, Deloitte Exchange, Aug. 2, 2019, at 2. Although the resume for Deloitte's proposed enterprise solutions architect included a general statement that the candidate possessed over 20 years of experience with Oracle EPM, OBIEE framework, or custom UI applications, neither the detailed work history included in the resume nor the crosswalk clearly demonstrated that the candidate possessed the minimum 10 years of experience required by the RFQ. As such, we find no basis upon which to conclude that the agency was unreasonable in finding that Deloitte's quotation was unacceptable because its proposed enterprise solutions architect failed to satisfy the minimum experience requirements of the RFQ.

The protest is denied.

Thomas H. Armstrong  
General Counsel

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has only eight years of experience. AR, Tab 12, Award Summary Memorandum, at 6. The contracting officer's statement supports this conclusion with a computation showing that the proposed candidate had a total of 99 months, or 8.25 years, of relevant experience. COS at 8. We further note that the agency's computation included additional experience not listed by Deloitte in the crosswalk. Compare COS at 7-8 with AR, Tab 11, Deloitte Revised Quotation, at A-22-23.