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Decision

Matter of: ManTech Advanced Systems International, Inc.

File: B-419791.2

Date: November 30, 2021

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DIGEST

1. Protest challenging the agency's evaluation of the awardee's technical proposal is denied where the protest allegations are not supported by the record, and the evaluation and source selection decision were reasonable and consistent with the solicitation.

2. Protest that the agency failed to assign additional strengths to aspects of the protester's technical proposal and engaged in disparate treatment is denied where the evaluation was reasonable and the difference in the evaluation stemmed from differences between the offerors' proposals.

DECISION

ManTech Advanced Systems International, Inc., of Herndon, Virginia, protests the issuance of a task order to General Dynamics Global Force, LLC, of Falls Church, Virginia, under request for task order proposals (RFTOP) No. RS3-19-0058, issued by the Department of the Army, Army Materiel Command, for worldwide field support for command, control, communication, computers, cyber, intelligence, surveillance, and reconnaissance (C5ISR) systems and equipment, including hardware and software support. The protester contends that the agency unreasonably and disparately evaluated offerors' technical proposals.

We deny the protest.

BACKGROUND

The Army issued the solicitation on July 13, 2020, to firms holding contracts under the Army's Responsive Strategic Sourcing for Services (RS3) multiple-award, indefinite-delivery, indefinite-quantity (IDIQ) contract. Contracting Officer's Statement and Memorandum of Law (COS/MOL) at 3; RFTOP at 2.¹ The solicitation sought a contractor to provide worldwide field support in a global range of mission-essential logistics, sustainment, and maintenance services for current and future C5ISR systems, equipment, and ancillary operational requirements. RFTOP at 3-4. These services would be performed within seven, worldwide Army Field Support Brigade (AFSB) regions, in support of the Army's Communications-Electronics Command. *Id.* at 4. The solicitation contemplated award of a hybrid cost-plus-fixed-fee and cost-reimbursement task order for a period of performance consisting of a 90-day transition period, a 9-month base period, and four 12-month option periods. *Id.*

The task order competition was conducted using the procedures at Federal Acquisition Regulation (FAR) section 16.505. *Id.* at 41. The solicitation provided for evaluation in two phases. In phase I, offerors were instructed to provide a list of required information, licenses, and statements, and were evaluated as to whether the submissions met the requirements to determine eligibility for phase II evaluations. *Id.* at 8-11, 34. For offerors that proceeded to phase II, the agency would evaluate proposals using three factors: (1) technical; (2) cost/price; and (3) small business participation. *Id.* at 43. The solicitation provided that eligibility for award would be limited to proposals that were rated acceptable under the small business participation factor; among eligible proposals, the selection decision would be based on a best-value tradeoff between the technical and cost/price factors. *Id.* Under the terms of the solicitation, the technical factor was more important than cost/price. *Id.*

Under the technical factor, the solicitation required offerors to provide: (1) a proposed performance work statement (PWS) that addresses all items in the solicitation's statement of objectives (SOO)/PWS²; (2) proposed output, work products, and deliverables in accordance with the provided contract data requirements list (CDRL); (3) a personnel matrix that identifies labor category information and the proposed level of effort for the SOO/PWS; (4) a SOO/PWS crosswalk consistent with the proposed PWS; (5) a quality assurance surveillance plan; and (6) a government furnished property management plan. *Id.* at 15-16. Offerors were also required to give an oral presentation, with presentation slides submitted in advance, where the offeror would present its technical approach and respond to the government's sample mission

¹ The solicitation was amended five times. Contracting Officer's Statement and Memorandum of Law (COS/MOL) at 3-6. Citations to the solicitation are to the final amended version of the RFTOP issued under solicitation amendment No. 5. Agency Report (AR), Tab 9, amend. 5, RFTOP.

² Citations to the solicitation's SOO/PWS are to the final amended version issued under solicitation amendment No. 4. AR, Tab 8-1, amend. attach. 1, SOO/PWS.

scenario. *Id.* at 16-17, 29-34. The solicitation advised that all of the required elements for technical proposals would be evaluated “to determine the extent to which the Contractor demonstrates an approach that meets or exceeds the Government’s requirements” and “to ensure [the proposal] conveys an understanding of all instructions and requirements of the RFTOP for the Technical Approach.” *Id.* at 36-39. The agency planned to evaluate the cost/price proposals in accordance with FAR section 15.404-1 to ensure proposed costs are fair, reasonable, and realistic. *Id.* at 40.

ManTech and General Dynamics both submitted proposals which the agency found eligible to proceed to phase II of the evaluation. AR, Tab 23, Phase I Decision Document at 1-2. At the conclusion of the evaluation, the agency initially issued the task order to General Dynamics on April 7, 2021. COS/MOL at 7.

On April 28, ManTech filed its initial protest with our Office after receiving notice that it was not selected for award. After the agency notified our Office of its intent to reevaluate proposals and make a new source selection decision, we dismissed the initial protest as academic. *ManTech Advanced Sys. Int’l, Inc.*, B-419791.1, May 20, 2021 (unpublished decision).

The Army reevaluated the proposals of ManTech and General Dynamics, with the final ratings as follows:

	MANTECH	GENERAL DYNAMICS
Technical/Risk	Good	Outstanding
Small Business Participation Plan	Acceptable	Acceptable
Proposed Cost/Price	\$570,463,230	\$518,538,330
Probable Cost/Price	\$570,485,043	\$518,538,330

AR, Tab 24-2, Decision Document--Post Corrective Action at 7.

The agency used the combined technical/risk ratings of outstanding, good, acceptable, marginal, or unacceptable in its evaluation under the technical factor. RFTOP at 38. As relevant here, the solicitation described the rating of outstanding as a proposal that “meets requirements and indicates an exceptional approach and understanding of the requirements” with strengths that far outweigh any weaknesses and very low risk of unsuccessful performance. *Id.* at 38. The rating of good was described as a proposal that “meets requirements and indicates a thorough approach and understanding of the requirements” with strengths that outweigh any weaknesses and low risk of unsuccessful performance. *Id.* For the small business participation plan factor, the agency assigned proposals a rating of acceptable or unacceptable. *Id.* at 41.

In assigning the technical/risk rating of good, the agency identified no significant strengths and seven strengths in ManTech’s technical proposal. AR, Tab 20, ManTech Technical Evaluation Report at 6-9. General Dynamics’s proposal, on the other hand, was assessed five significant strengths and seven strengths and was assigned a technical/risk rating of outstanding. AR, Tab 18, General Dynamics Technical

Evaluation Report at 6-15. No weaknesses, significant weaknesses, or deficiencies were assessed to either offeror's proposal. AR, Tab 20, ManTech Technical Evaluation Report at 11; Tab 18, General Dynamics Technical Evaluation Report at 17. The Army found that both offerors' proposed costs were fair, reasonable, and realistic. AR, Tab 24-2, Decision Document--Post Corrective Action at 29, 44.

The agency conducted a comparative analysis of the proposals and concluded that General Dynamics's proposal offered significantly superior technical merit and a significantly lower proposed and probable cost, and that General Dynamics's proposal offered the best value to the government. *Id.* at 44-52. On August 6, 2021, the Army re-issued the task order to General Dynamics and notified ManTech. COS/MOL at 8; AR, Tab 28-2, 2nd Unsuccessful Offeror Letter. This protest followed.³

DISCUSSION

ManTech alleges that the agency's evaluation of proposals was unreasonable in various respects. We have considered all of the protester's arguments and, based on the record, we conclude that none provides a basis on which to sustain the protest. Below, we discuss the protester's chief contention regarding the evaluation of the awardee's technical proposal, specifically with respect to General Dynamics's proposed staffing approach in Afghanistan. We also address the protester's allegations of disparate treatment in the agency's evaluation of ManTech's technical proposal.⁴

At the outset, we note that the evaluation of proposals in a task order competition, including the determination of the relative merits of proposals, is primarily a matter within the agency's discretion, since the agency is responsible for defining its needs and the best method of accommodating them. *Wyle Labs., Inc.*, B-407784, Feb. 19, 2013, 2013 CPD ¶ 63 at 6. In reviewing protests challenging an agency's evaluation of proposals, our Office does not reevaluate proposals or substitute our judgment for that of the agency, but rather examines the record to determine whether the agency's judgment

³ The value of the task order awarded to General Dynamics exceeds \$25 million. Accordingly, this procurement is within our jurisdiction to hear protests related to the issuance of delivery orders under multiple-award IDIQ contracts authorized under title 10 of the United States Code. See 10 U.S.C. § 2304c(e)(1)(B).

⁴ In its protest filed on August 30, ManTech claimed that the awardee's lower price must indicate that the awardee proposed unqualified personnel who lacked required certifications, and challenged the agency's evaluation of this aspect of the awardee's proposal. Protest at 12-17. On this assumption, ManTech also challenged the agency's cost realism analysis. *Id.* at 21-25. The agency substantively responded to each of these challenges in its report, see COS/MOL at 35-37, 51-60, but the protester did not address the agency's response in its comments. See *generally*, Protester's Comments. ManTech's failure to comment on the agency's response to its arguments renders those arguments abandoned and we will not consider them further. *Booz Allen Hamilton, Inc.*, B-414283, B-414283.2, Apr. 27, 2017, 2017 CPD ¶ 159 at 5 n.9.

was reasonable and in accord with the stated evaluation criteria and applicable procurement laws and regulations. *MicroTechnologies, LLC*, B-413091, B-413091.2, Aug. 11, 2016, 2016 CPD ¶ 219 at 4-5. An offeror's disagreement with an agency's judgment, without more, is insufficient to establish that the agency acted unreasonably. *STG, Inc.*, B-405101.3 *et al.*, Jan. 12, 2012, 2012 CPD ¶ 48 at 7.

Evaluation of General Dynamics's Technical Proposal

ManTech argues that the agency unreasonably assigned a rating of outstanding to the awardee's technical proposal by improperly ignoring significant performance risks arising from an unrealistic staffing approach. Protest at 17-21. Specifically, the protester alleges that the awardee's proposal to permanently station just one contractor employee in Afghanistan cannot meet the solicitation requirements, and that the agency was irrational to find any merit in General Dynamics's technical approach. *Id.*; Protester's Comments at 4-12. ManTech offers various reasons why, in its view as the incumbent contractor currently performing a portion of the required effort, circumstances at the Army sites located in Afghanistan require more personnel physically stationed at those sites than were proposed by the awardee. *Id.*; Protester's Response to Agency's Supp. Response at 1-6.

In response, the agency maintains that its evaluation of the awardee's technical proposal, including its staffing approach, was reasonable and consistent with the solicitation. The agency argues that the solicitation specifically instructed offerors to propose staffing by region and not by site, and purposely identified most of the regional support centers as potential temporary duty locations. COS/MOL at 38-51. The agency contends that these instructions, along with not specifying a minimum level of effort by site, supported the solicitation's stated evaluation scheme of looking to innovation, efficiencies, and flexibility in staffing approaches. *Id.* Thus, according to the agency, it evaluated proposals in accordance with the solicitation and reasonably found that the awardee's proposed staffing exceeded solicitation requirements. *Id.* For the reasons discussed below, we see no basis to disagree with the agency's judgment regarding the awardee's staffing approach.

As an initial matter, we note that the bulk of the protester's arguments regarding the agency's evaluation of the awardee's staffing approach center around ManTech's apparent belief that a specified minimum number of personnel was required to be stationed in Afghanistan in order to adequately perform the work here. Protest at 18-21; Protester's Comments at 3-4. Our review of the solicitation, however, shows that the solicitation did not articulate the agency's needs in the way the protester frames them.

As previously noted, the solicitation required offerors to provide, as part of their technical approach, a personnel matrix that identifies labor category information and the proposed level of effort for the SOO and PWS. RFTOP at 15. In the personnel matrix, offerors were instructed to identify labor category qualifications and descriptions, including labor category titles and functional responsibilities for all labor categories proposed, and to identify the labor hours for each proposed labor category. *Id.* The

solicitation also required offerors to “map all labor categories to a specific PWS/SOO paragraph for which they will be responsible to perform.” *Id.*

The provided SOO/PWS, in turn, described the required effort as global field support services “through a Regional Support Center (RSC) construct,” which “provides its customers with the flexibility to tailor the required support based on mission requirements, funding, and any organizational specific needs.” SOO/PWS at 2. The SOO/PWS further noted that the government “desires to increase efficiencies, enhance unit and systems readiness, and facilitate performance-based worldwide sustainment efforts by leveraging industry’s expertise and flexibility.” *Id.* at 21. In the same vein, the SOO/PWS repeatedly emphasized the agency’s interest in the offeror’s flexibility and capability to deploy support teams to meet rapidly changing mission requirements “as they arise,” and required the offeror “to be able to adapt quickly to changing global situations.” *Id.* at 2, 3, 22, 23.

In line with this articulation of the agency’s needs, the SOO/PWS noted that RSCs are “fixed sites co-located with the AFSBs in seven regions worldwide,” but informed offerors that “[t]he critical planning factor for the Contractor is staffing as required by region and not by site.” *Id.* at 4. The SOO/PWS described each of the seven regions, including the Southwest Asia region with RSCs in Afghanistan and Kuwait. *Id.* The SOO/PWS also noted that the contractor may be required “to facilitate the opening of new RSC locations worldwide or to support the downsizing and/or closing of existing locations.” *Id.* at 5. With respect to place of performance, the SOO/PWS stated that “[s]pecific performance locations may vary based on support requirements for the duration of the Task Order.” *Id.* at 5. While the SOO/PWS included a list of government facilities located in the seven regions, it specifically identified Afghanistan as one of “[p]otential temporary duty areas.” *Id.* at 5-6.

The solicitation also provided a sample billet roster for the software portion of the services from fiscal year 2019 and a system service record for the hardware portion of the services from fiscal year 2020 data, both of which were labeled “informational.” RFTOP at 7; see AR, Tab 4-10, RFTOP attach. 0011, fiscal year (FY) 2019 Example SEC Billet Roster; Tab 5-3, amend. RFTOP attach. 0012, FY2020 RSC C5ISR System Data. As relevant here, during industry questions following the agency’s issuance of amendment 1 to the solicitation, a prospective offeror requested that the agency provide a detailed billet roster for the hardware portion of the requirements, as it did for the software portion, to “enable offerors to prepare proposals consistent with legacy performance, and . . . foster a competitive environment and a more equal playing field for non-incumbent offerors.” AR, Tab 31, Questions & Answers Following amend. 1 at 84. The agency responded as follows:

The information provided focuses on the workload that is being executed at the RSC locations worldwide and not personnel numbers. This effort should not be bid to a current personnel scope of effort as the [level of effort (LOE)] is changing constantly and this is a different effort in total as

many of the programs have changed as well as the intent of this contract is to gain consolidation.

Id.

Our timeliness rules specifically require that a protest based on alleged improprieties in a solicitation that are apparent prior to the closing time for receipt of initial proposals or quotations be filed before that time. 4 C.F.R. § 21.2(a)(1). Where a protester and the agency disagree about the meaning of solicitation language, we will resolve the matter by reading the solicitation as a whole and in a manner that gives effect to all of its provisions. *Crew Training Int'l, Inc.*, B-414126, Feb. 7, 2017, 2017 CPD ¶ 53 at 4.

Here, read as a whole, the solicitation--conspicuously and expressly--did not specify a level of effort nor require offerors to propose staffing to match the current level of effort. Moreover, the solicitation did not require offerors locate or station any particular number of personnel at each RSC site, but instead indicated staffing should be planned by region. The solicitation also plainly informed offerors that the agency wanted their technical approach, including their staffing approach, to focus on flexibility, innovation, efficiency, and consolidation. Accordingly, to the extent the protester argues that the solicitation should have established more definite staffing requirements for each RSC site, specifically for the RSC site in Afghanistan, this is an untimely challenge to the terms of the solicitation. See 4 C.F.R. § 21.2(a)(1).

Turning to the agency's evaluation of the awardee's proposal, the record shows that the agency noted several strengths related to the awardee's staffing approach. Specifically, the evaluators identified as significant strengths the awardee's management framework and staffing structure with its "streamlined approach . . . towards manning" and "matrixed personnel approach [that] create a multifunctional employee," as well as an "integrated application of recruiting, hiring, vetting, onboarding and retention which will provide full coverage of the staffing Level of Effort." AR, Tab 18, General Dynamics Technical Evaluation at 10, 12. The evaluators further noted that the awardee "provided a strategy to manage changing requirements" and "an effective staffing approach . . . [that will] ensure that the Government has the appropriate staff and will meet readiness requirements to ensure minimal downtime." *Id.* at 12. The evaluators also assessed an additional strength for the awardee's proposed use of multifunctional field service representatives (FSR), finding it to be "very beneficial to the Government as it will provide flexibility to support multiple systems with less FSRs and improve the individual quality of the FSRs." *Id.* at 14.

The technical evaluators also performed a technical realism analysis of the awardee's proposed labor mix and corresponding labor hours to determine whether they were realistic for meeting the requirements identified in the SOO/PWS as part of the cost realism analysis. See *generally*, AR, Tab 18-1, General Dynamics Technical Realism Analysis; see RFTOP at 19-20, 40-41. In the realism analysis document, the evaluators specifically noted that each offeror "proposed the level of effort required to meet the staffing needs of their unique technical approach," as the agency did not provide a

required level of effort. AR, Tab 18-1, General Dynamics Technical Realism Analysis at 11. The analysis included “compar[ing] the [labor categories (LCATs)] and locations proposed to the historical data, PWS requirements, knowledge of the current requirements, and locations of the supported systems worldwide to ensure that a sufficient number of personnel and hours under these LCATs were attributed to those locations and systems.” *Id.* at 19. Based on this analysis, the evaluators found that the awardee’s overarching strategy of using regionally aligned multifunctional FSRs for travel or deployment based on mission requirements to be a realistic approach to meeting the agency’s requirements. *Id.* at 11.

In its award decision, the contracting officer agreed with the technical evaluators’ assessment of General Dynamics’s staffing approach and concluded as follows:

[General Dynamics’s] approach proposed FTEs [Full-Time Equivalents] that are regionally aligned with the system locations and are able to travel and/or deploy when needed based on mission requirements with a rapid turnaround, because the FTEs are within the area of operation. This approach meets the requirements for daily operations, maintaining a qualified workforce, and for new and emergency work as required through surge, temporary duty, or short term contingency efforts. The multifunctional FSR approach supports the Government’s requirements and promotes efficiencies through [General Dynamics’s] cross training of FSRs to enable sustainment of multiple systems. [General Dynamics] proposed opportunities for innovation and efficiencies through temporary duty travel. [General Dynamics’s] FSRs will support units outside of their normal purview to gain additional tactics, techniques, and procedures (TTPs) and foster sharing of knowledge between other FSRs and units.

AR, Tab 24-2, Phase II Decision Document--Corrective Action at 48.

In comparing the approach taken by General Dynamics to ManTech’s approach, the contracting officer noted that, while both approaches were realistic, General Dynamics’s approach would allow “the Government to strategically deploy multifunctional FSRs to this region as needed, ensuring they are located where the work is needed and saving cost associated with any increase in other direct costs from being stationed in Afghanistan.” *Id.* at 51. The contracting officer recognized that ManTech’s “hub and spoke” approach of stationing 20 percent of its proposed FTEs in Afghanistan presented the benefit of “an immediate on-site response should support be required in” Afghanistan. *Id.* Acknowledging that General Dynamics proposed only 1 FTE to be stationed in Afghanistan, the contracting officer nevertheless concluded that this approach of a “flexible model for providing cross trained multifunctional FSRs within regions is advantageous to the Government because it will allow the Government to adapt to providing services where they are most needed dependent upon global events.” *Id.*

Based on our review of the record, we find that the agency's conclusions were reasonable and consistent with the solicitation. As noted, the solicitation expressly did not require offerors to propose a specific level of effort or number of personnel to be stationed at a particular performance site or in accordance with historical effort. Instead, the solicitation repeatedly informed offerors that the agency was seeking an innovative and flexible approach to providing support, on a regional basis, for rapidly changing global mission needs. Therefore, we find nothing in this record to support disturbing the agency's measured conclusion that General Dynamics's approach met and exceeded this requirement.

For its part, the protester maintains that the agency's evaluation was flawed for a variety of reasons. We have considered these arguments and find none of them persuasive. For example, relying in part on the declarations by one of the protester's employees with experience working on the task order for the software portion of the incumbent effort, the protester argues that the SOO/PWS contained performance standards that would be impossible to meet without personnel stationed on site. Protest at 18-21; Protester's Comments at 6-12; see Protest exh. E, Decl. of ManTech Program Manager; Protester's Comments, exh., Supp. Decl. of ManTech Program Manager. The agency, however, counters each of the protester's arguments in this regard through declarations of its lead technical evaluator who contends that the protester misconstrues each of the cited SOO/PWS requirements. COS/MOL at 46-51; see AR, Tab 3-2, Decl. of Logistics Management Specialist.

For instance, the protester argues that the PWS's requirement for onsite software backups "within 24 hours of notification by the Warfighter," together with the required ninety percent operational readiness rate for mission systems, would be impossible to meet without sufficient personnel located onsite in Afghanistan. Protest at 20; SOO/PWS at §§ 3.2.1.1(c); 3.2.1.1(f); 3.2.2.2.1. The protester also claims that the awardee's proposal to fly in regionally situated personnel into Afghanistan was impracticable due to: the closure of Kabul airport; delays in flights into Afghanistan; and the Army's preference of military flights to commercial flights. Protester's Comments at 4-6. To support its claim, ManTech presents as evidence the recent difficulties it experienced in flying its own employees into Afghanistan to perform under the incumbent task order. Protester's Comments on Agency's Supp. Response at 1-6; Supp. Decl. of Logistics Management Specialist.

The agency, in responding to each of these contentions, argues that the protester misconstrues the PWS requirements and takes specific provisions out of context. COS/MOL at 47. First, the agency notes that the 24-hour response was specifically required only for a special requirements support for the Blue Force Tracking--Aviation equipment, which would only be "triggered by an event, exercise, or flight operation, all of which are scheduled in advance and performed while the contractor is present." COS/MOL at 47; AR, Tab 3-2, Decl. of Logistics Management Specialist at 8; see SOO/PWS at §§ 3.2.1.1(c); 3.2.1.1(f). The Army also argues that it has frequently approved the use of commercial flights for both ManTech and General Dynamics under their respective incumbent task orders, and that airport closures and delays at the time

of proposal submission were temporary situations caused by the COVID-19 pandemic that could not be reasonably expected to be permanent conditions. Agency's Supp. Response at 7-8; AR, Tab 35, Supp. Decl. of Logistics Management Specialist at 1. Moreover, as the intervenor points out, the Army was already in the process of demobilizing military presence in Afghanistan long before proposals were due, with complete demobilization scheduled by April 2021. Intervenor's Comments at 4 *citing* Agreement for Bringing Peace to Afghanistan, <https://www.state.gov/wp-content/uploads/2020/02/Agreement-For-Bringing-Peace-to-Afghanistan-02.29.20.pdf>.

Considering this information in light of the fact that the solicitation did not require personnel stationed at any particular site, including Afghanistan, we find reasonable the agency's determination that the awardee's "flexible model for providing cross trained multifunctional FSRs within regions" was "advantageous to the Government because it will allow the Government to adapt to providing services where they are most needed dependent upon global events." AR, Tab 24-2, Phase II Decision Document--Corrective Action at 51. A contracting agency has the primary responsibility for determining its legitimate needs and for determining whether an offered item will satisfy those needs, since it is the agency that is most familiar with the conditions under which the supplies or services will be used and because the agency must bear the burden of difficulties incurred by reason of a defective evaluation. *Airbus Helicopters, Inc.*, B-418444, B-418444.2, May 12, 2020, 2020 CPD ¶ 168 at 16; *Beckman Coulter, Inc.*, B-405452, Nov. 4, 2011, 2011 CPD ¶ 231 at 5.

Here, despite its attestation of superior knowledge of the requirements in Afghanistan based on its incumbent experience, the protester has not presented evidence that warrants disturbing the agency's reasoned judgment. The record here simply does not support the protester's insistence that the agency's evaluation of the awardee's proposal strayed from the solicitation requirements, materially understated the level of effort required by the SOO/PWS, or ignored deficiencies in the awardee's staffing plan. See Protester's Comments at 3-13. Accordingly, we deny this protest ground.

Evaluation of ManTech's Technical Proposal

Next, the protester contends that the agency's evaluation was unreasonable in overlooking two additional strengths in its technical proposal that would have raised its technical rating from good to outstanding.⁵ Protest at 25-27. In this regard, ManTech

⁵ ManTech initially argued that it should have been assigned three more strengths and should have received a significant strength, rather than a strength, for another aspect of its proposal. Protest at 25-27. The agency substantively responded to each of these arguments in its report. COS/MOL at 60-69. In its comments to the agency report, the protester only addressed two of its initial arguments, stating that the record supports its initial arguments "at least for two of the strengths." Protester's Comments at 13. Accordingly, ManTech's failure to address all but two of its initial arguments challenging the evaluation of its technical proposal renders those arguments abandoned and we will not consider them further. *Booz Allen Hamilton, Inc.*, *supra*.

contends that it proposed multifunctional FSRs as part of its staffing approach and a transition plan that offered a full complement of staffing on day one, and that these two aspects of its proposal warranted additional strengths. *Id.* ManTech also alleges that the agency treated offerors disparately by assigning strengths to similar aspects--use of multifunctional FSRs and accelerated phase II transition plan--of General Dynamics's technical proposal, but not to ManTech's proposal. Protester's Comments at 13-15.

The agency first responds that it reasonably assigned the rating of good to ManTech's technical proposal and that the difference in the agency's evaluation properly reflected the substantive differences in the proposals. COS/MOL at 60-69; Agency's Supp. Response at 2-6. The agency also argues, in the alternative, that the protester cannot show that it has been competitively prejudiced by any error on the agency's part in failing to assess the alleged strengths. Agency's Supp. Response at 9.

We have fully considered the protester's arguments with respect to the agency's evaluation of ManTech's technical proposal and conclude that none provide a basis to sustain the protest. We discuss below one of the two disparate treatment allegations as a representative example.

First, the protester argues that it proposed a lean and modernized staffing approach that included the use of multifunctional FSRs, and that the agency should have assigned a strength to this aspect of its technical proposal. Protester's Comments at 13. ManTech further contends that the agency treated offerors disparately by assigning a strength to the awardee's approach of using multifunctional FSRs. *Id.* The agency responds that the proposed use of multifunctional FSRs in General Dynamics's proposal was substantively distinguishable from the approach identified in ManTech's proposal. Agency's Supp. Response at 4.

Agencies must treat all offerors equally and evaluate their proposals evenhandedly against the solicitation's requirements and evaluation criteria. *Native Energy & Tech., Inc.*, B-416783 *et al.*, Dec. 13, 2018, 2019 CPD ¶ 89 at 4. However, when a protester alleges unequal treatment in a technical evaluation, it must show that the differences in the evaluation did not stem from differences between the proposals. *CACI, Inc.-Federal*, B-419371.3, Feb. 26, 2021, 2021 CPD ¶ 147 at 5; *IndraSoft, Inc.*, B-414026, B-414026.2, Jan. 23, 2017, 2017 CPD ¶ 30 at 6. Accordingly, to prevail on an allegation of disparate treatment, a protester must show that the agency unreasonably downgraded its proposal for features that were substantively indistinguishable from, or nearly identical to, those contained in other proposals. *Battelle Mem'l Inst.*, B-418047.3, B-418047.4, May 18, 2020, 2020 CPD ¶ 176 at 5.

In assessing a strength to the awardee's proposed use of multifunctional FSRs, the evaluators noted that General Dynamics proposed to provide "a portfolio of services using an agile maintenance management approach . . . that leverages the concept of [multifunctional FSRs (M-FSRs)] to adapt to shifting demands in the field" as a key aspect of its overall staffing approach. AR, Tab 18, General Dynamics Technical Evaluation at 13-14, *citing* AR, Tab 12-26, General Dynamics Technical Proposal at 2.

The evaluators also noted that General Dynamics proposed multifunctional FSRs who are, “[t]o the maximum extent possible . . . cross-trained and certified to sustain multiple systems within their area of responsibility” and will have “the capability to move around the battle field to execute a myriad of missions rather than one specialized mission.” AR, Tab 18, General Dynamics Technical Evaluation at 13 *citing* AR, Tab 12-26, General Dynamics Technical Proposal at 3, 22. Indeed, the record shows that General Dynamics extensively explained its proposed use of multifunctional FSRs throughout its proposal, using it as a focal point of meeting the agency’s needs under multiple SOO/PWS provisions. See AR, Tab 12-26, General Dynamics Technical Proposal at 2, 3, 22, 88, 113-126, 134-136, 143-149. Based on this proposal, the agency concluded that the awardee’s proposed approach to using multifunctional FSRs to be beneficial “as it will provide flexibility to support multiple systems with less FSRs and improve the individual quality of the FSRs.” AR, Tab 18, General Dynamics Technical Evaluation at 14.

The agency explains that, in contrast, ManTech’s proposal stated that it will provide “existing multifunctional FSRs” as one aspect of its efficient staffing approach. Agency’s Supp. Response at 2-4 *citing* AR, Tab 16-20, ManTech Technical Proposal at 44. Moreover, the evaluators found that ManTech defined multifunctionality significantly more narrowly than General Dynamics, as having the ability “to support software operator-level troubleshooting and consumable hardware field maintenance.” Agency’s Supp. Response at 4 *quoting* AR, Tab 16-20, ManTech Technical Proposal at 42.

On this record, we find no merit to the protester’s argument that the agency should have assessed a strength for its proposed use of existing multifunctional FSRs because it offered to the agency the same benefit of efficiency and reduced labor hours as the awardee’s proposal. Protester’s Response to Agency Supp. Response at 7-8. Contrary to the protester’s assertion that a more detailed discussion of multifunctional FSRs in the awardee’s proposal is “irrelevant,” we find that the agency reasonably concluded that the awardee’s detailed proposal offered the benefit of “flexibility to support multiple systems” and improved quality of FSRs that ManTech’s proposal did not. *Id.* at 7; AR, Tab 18, General Dynamics Technical Evaluation at 14. Therefore, the record shows that the agency reasonably determined that the detailed information in the awardee’s proposal warranted a strength, while the lack of such detail in the similar aspect of the protester’s proposal did not warrant one. See *Engineering Design Techs., Inc.*, B-408811.2, June 17, 2014, 2014 CPD ¶ 182 at 5 (“An offeror has the responsibility to submit a well-written proposal, with adequately detailed information which clearly demonstrates compliance with the solicitation’s requirements and allows for a meaningful review by the procuring agency.”).

In any event, even assuming that the protester could prevail on some of its allegations challenging the agency’s evaluation of its technical proposal, the record makes it unlikely that the protester would be able to show competitive prejudice here. Competitive prejudice is an essential element of a viable protest, and we will sustain a protest only where the protester demonstrates that, but for the agency’s improper

actions, it would have had a substantial chance of receiving the award. *DRS /CAS, LLC*, B-401852.4, B-401852.5, Sept. 8, 2010, 2010 CPD ¶ 261 at 21-22.

As noted, the agency assigned a technical/risk rating of good to ManTech's technical proposal, identifying no significant strengths and seven strengths. AR, Tab 20, ManTech Technical Evaluation Report at 6-9. To General Dynamics's technical proposal, the agency assigned a technical/risk rating of outstanding, identifying five significant strengths in addition to seven strengths. AR, Tab 18, General Dynamics Technical Evaluation Report at 6-15. In its best-value analysis, the source selection authority found that "[b]ecause of General Dynamics'[s] significantly superior technical rating and lowest probable cost, it was not necessary to consider the payment of a higher cost/price by awarding to ManTech with a lower technical rating." AR, Tab 24-2, Phase II Decision Document--Corrective Action at 52.

As our Office has explained, evaluation ratings are merely guides to intelligent decision-making. *Raytheon Company*, B-416211 *et al.*, July 10, 2018, 2018 CPD ¶ 262 at 15. The assignment of evaluation ratings, and overall consideration of the merit of offerors' proposals, must be based on more than a simple count of the strengths and weaknesses of each offeror's proposal. *Id.* at 15-16.

Here, even if we agree with the protester that the agency should have assessed additional strengths for the two contested aspects of ManTech's proposal, ManTech would have been assessed a total of nine strengths and no significant strengths compared to General Dynamics's seven strengths and five significant strengths. Moreover, even if we further accept the protester's contention that these two additional strengths would have propelled ManTech's technical rating from good to outstanding, ManTech's technical rating would be the same as General Dynamics's, with no additional benefit that would distinguish it from the benefit found in General Dynamics's proposal.

On this record, and considering that we found no merit in the protester's challenges to the agency's evaluation of the awardee's technical proposal, the protester cannot show that the additional strengths--also found in the awardee's proposal--would have constituted substantial discriminators needed to overcome its higher price in the best-value tradeoff analysis. Thus, we find no basis to conclude that any agency error with respect to assessing these contested strengths to the protester's technical proposal competitively prejudiced the protester. See *Vencore, Inc.*, B-416994.2, B-416994.3, June 17, 2019, 2019 CPD ¶ 221 at 17 (denying protest where even if disparate treatment occurred, the protester failed to establish that but for these evaluation errors the protester would have had a substantial chance for award).

The protest is denied.

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