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Decision

Matter of: Global Consulting International, Inc.

File: B-404130

Date: January 5, 2011

Kenneth A. Martin, Esq., The Martin Law Firm, for the protester.
William K. Walker, Esq., Walker Reausaw, for IT Transformations JV, and William B. Barton, Esq., Jon Tolle, Esq., and Bryan King, Esq., Barton, Baker, Thomas & Tolle, LLP, for Morgan Borszcz Consulting, LLC, intervenors.
Liana D. Henry, General Services Administration, for the agency.
Paul E. Jordan, Esq., and David A. Ashen, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Agency reasonably downgraded proposal for failure to comply with solicitation requirements for staffing approach submissions where offeror submitted key personnel qualification matrices that did not address specific solicitation key personnel experience requirements, and where its submissions exceeded the solicitation's page limitations.

DECISION

Global Consulting International, Inc. (GCI), of Salt Lake City, Utah, protests the General Services Administration's award of contracts to Morgan Borszcz Consulting, LLC (MBC), of Alexandria, Virginia, and IT Transformations JV (ITT), of Anchorage, Alaska, under request for proposals (RFP) No. GSC-QFOB-10-Q0006, for strategic enterprise planning system (ERP) implementation support for the Department of the Air Force's Logistics Transformation Office. GCI challenges the evaluation of proposals.

We deny the protest.

The RFP, a section 8(a) competitive acquisition, contemplated the award--on a "best value" basis--of multiple indefinite-delivery/indefinite-quantity contracts, for a base year with 4 option years, to furnish technical, functional, and managerial expertise to assist in the re-engineering of legacy Air Force logistics processes. Proposals, including both written and oral presentations, were to be evaluated under six factors (in descending order of importance): technical approach, staffing approach,

management approach, corporate experience, past performance and price. Proposals were to be rated on an adjectival basis—excellent, good, acceptable, and not acceptable. The RFP provided that a rating of not acceptable under any single factor would result in the overall proposal being rated not acceptable and thus ineligible for award.

Nine proposals—including those of GCI, MBC, and ITT—were received. GCI’s proposal was rated not acceptable under the staffing approach factor, because GCI failed to follow the RFP’s directions for use of properly-completed key personnel qualification matrices. Although GCI also furnished resumes, the agency did not attempt to match the information in the resumes with the RFP experience requirements. While GCI’s proposal was rated acceptable or higher under the remaining factors, it was rated overall as not acceptable based on the staffing approach rating. MBC’s proposal was rated overall excellent and ITT’s as overall good. After learning of the awards to MBC and ITT, and after receiving a debriefing, GCI filed an agency-level protest. When that protest was denied, GCI filed this protest with our Office.

GCI challenges the agency’s evaluation of its proposal under the staffing approach factor. GCI asserts that since the RFP did not prohibit the use of resumes, the agency was required to evaluate them in determining whether GCI’s key personnel were acceptable under the staffing approach factor.

In reviewing protests relating to an agency’s evaluation, we will not independently reevaluate proposals; rather, we will review the record to ensure that the agency’s evaluation was consistent with the terms of the solicitation and applicable statutes and regulations. Engineered Elec. Co. d/b/a/ DRS Fermont, B-295126.5, B-295126.6, Dec. 7, 2007, 2008 CPD ¶ 4 at 3-4. Mere disagreement with the agency’s evaluation is not sufficient to call an evaluation into question. Ben-Mar Enters., Inc., B-295781, Apr. 7, 2005, 2005 CPD ¶ 68 at 7. The evaluation here was unobjectionable.

Although the RFP did not prohibit the submission of resumes, it otherwise provided explicit directions on the submission of experience information for the evaluation of key personnel under the staffing approach factor. The RFP required offerors to submit a qualification matrix for each key person proposed, relating the qualifications of the person proposed to the specialized experience identified in RFP § H.7.1 for the position. RFP § L.6.2.2. The RFP included an “example” matrix to be used for each key position, with columns for place of work, dates of experience, years of experience, official title, and description of qualifications/experience satisfying each experience requirement. The specific experience requirements included in the “example” matrix, however, were not the same as the qualifications identified in RFP § H.7.1 for each key personnel position. Each qualification matrix was limited to three pages per key person, with no provision for submission of additional information. The RFP provided that the evaluation of staffing approach was to consider the qualification matrix for key personnel, as well as information

presented under the management approach factor, as part of the oral technical presentation. RFP § M.3.

While GCI submitted both qualification matrices and resumes for each of its five key personnel, its submissions did not show compliance with the RFP's experience requirements. For example, the RFP included eight areas of required experience and four areas of desirable experience which were to be addressed in the qualification matrix for the program manager. The required experience for the program manager included such experience as: successful implementation of ERPs; extensive experience with planning and managing large-scale, complex projects; implementing a quality assurance program; demonstrated knowledge of logistics management practices similar to the RFP requirements; and evaluating proposed computer systems to determine technical feasibility, implementation costs, operation costs, and functional adequacy. RFP § H.7.1.1. Instead of directly addressing these experience requirements in the qualification matrix for its program manager, GCI addressed the eight different experience areas included in the "example" matrix. These included areas such as demonstrated experience reporting to high-level personnel; demonstrated experience with various software programs; and demonstrated knowledge of secure sockets. GCI Proposal A-1. GCI also submitted similarly nonresponsive information in the qualification matrices for each of its other key personnel.

While GCI furnished a resume for each of its key personnel, it did not identify the information in the resume which showed compliance with the solicitation experience requirements for that position. Furthermore, the information GCI submitted for each of its key personnel, including both the qualification matrix and resume, exceeded the specified three-page limit. RFP § L.6.2.2. For example, for its proposed program manager, GCI submitted nine pages of information, including a two-page qualification matrix and a seven-page resume. We note in this regard that the agency was precluded from considering material in excess of the solicitation page limitation. See Thomson Reuters (Healthcare), Inc., B-402398, Mar. 15, 2010, 2010 CPD ¶ __ at 2. GCI's oral presentation likewise failed to demonstrate that its key personnel met all solicitation experience requirements. For example, the evaluators specifically determined that GCI's oral presentation did not show its proposed project manager met the requirements for experience implementing a quality assurance program or demonstrated knowledge of logistics management practices. Evaluation Report at 46.

An agency's evaluation is dependent on the information furnished in a proposal; thus, it is the offeror's responsibility to submit an adequately written proposal for the agency to evaluate. SC&A, Inc., B-270160.2, Apr. 10, 1996, 96-1 CPD ¶ 197 at 5. Agencies are not required to adapt their evaluation to comply with an offeror's submission, or otherwise go in search of information that an offeror has omitted or failed adequately to present. See LS3, Inc., B-401948.11, July 21, 2010, 2010 CPD ¶ 168 at 3, n.1; Hi-Tec Sys., Inc., B-402590, B-402590.2, June 7, 2010, 2010 CPD ¶ 156

at 3. Here, GCI has not shown that its proposal adequately demonstrated within the allowed three pages per key personnel that any of its key personnel met the RFP's experience requirements. We find therefore that the agency reasonably evaluated GCI's proposal as noncompliant with the solicitation's key personnel experience requirements and thus, not acceptable.

GCI asserts that the agency treated the offerors unequally in the staffing approach evaluation. Specifically, GCI maintains that MBC, in its proposal, also failed to comply with the key personnel experience format requirements. GCI cites as support for its assertion its review of a copy of MBC's proposal which the agency inadvertently provided to GCI on August 9, 2010, during the course of GCI's agency-level protest.

This assertion is untimely. Under our Bid Protest Regulations, a protest based on other than alleged improprieties in a solicitation must be filed no later than 10 calendar days after the protester knew, or should have known, of the basis for protest, whichever is earlier. 4 C.F.R. § 21.2(a)(2) (2010). Where a protester initially files a timely protest, and later supplements it with independent protest grounds, the later-raised allegations must independently satisfy the timeliness requirements, since our Regulations do not contemplate the unwarranted piecemeal presentation or development of protest issues. FR Countermeasures, Inc., B-295375, Feb. 10, 2005, 2005 CPD ¶ 52 at 9. In this regard, where a protester raises a general argument in its initial submission, but fails to provide details within its knowledge until later, so that a further response from the agency would be needed in order for us to adequately review the matter, these later, more specific arguments and issues will not be considered unless they independently satisfy the timeliness requirements under our Regulations. Planning and Dev. Collaborative Int'l, B-299041, Jan. 24, 2007, 2007 CPD ¶ 28 at 11.

Here, GCI generally asserted in its October 4 protest to our Office that the agency had treated the offerors unequally in the evaluation, but it did not specifically argue that MBC's proposal (or ITT's) failed to meet the RFP's experience requirements. Rather, GCI merely asserted that the evaluation was unequal because the agency refused to consider GCI's resumes in the evaluation. Protest at 10. GCI did not assert that MBC's proposal failed to meet the solicitation requirements until November 11. Since GCI's claim in this regard was filed more than 3 months after it knew, or should have known, the basis for this protest ground, it is untimely and will not be considered. 4 C.F.R. § 21.2(a)(2).

Finally, GCI asserts that the agency improperly failed to consider its lower price in making the award determinations. This assertion is without merit. Since the agency reasonably evaluated GCI's proposal as not acceptable, its proposal cannot be considered for award, notwithstanding its low price. Coastal Drilling, Inc., B-285085.3, July 20, 2000, 2000 CPD ¶ 130 at 6.

The protest is denied.

Lynn H. Gibson
Acting General Counsel