



Decision

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Matter of: Inalab Consulting, Inc.

File: B-422438; B-422438.2; B-422438.3

Date: June 18, 2024

Jon D. Levin, Esq., Maynard Nexsen, PC, for the protester.
Isaias Alba, IV, Esq., Katherine B. Burrows, Esq., Samuel S. Finnerty, Esq., Daniel Figuenick, III, Esq., and Kelly A. Kirchgasser, Esq., Piliero Mazza, PLLC, for KYM Advisors, Inc., the intervenor.
Jonathan A. Hardage, Esq., Department of the Army, for the agency.
Michelle Litteken, Esq., and Christina Sklarew, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

1. Protest challenging the agency’s evaluation of offerors’ technical proposals is denied where, notwithstanding the parties’ disagreement regarding the assessment of one weakness in the protester’s proposal, the protester fails to demonstrate prejudice.
 2. Protest of the agency’s best-value tradeoff decision is denied where the selection of the higher technically rated, higher-priced proposal was reasonable and consistent with the solicitation’s stated evaluation criteria.
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DECISION

Inalab Consulting, Inc., an 8(a) small business of Fairfax, Virginia, protests the issuance of a task order to KYM Advisors, Inc., an 8(a) small business of Reston, Virginia, under fair opportunity request for proposals (RFP) No. 1670095, issued by the Department of the Army, Army Contracting Command to provide declassification program support services.¹ Inalab challenges various aspects of the agency’s evaluation of the offerors’ technical proposals and the best-value tradeoff decision.

¹ Section 8(a) of the Small Business Act, 15 U.S.C. § 637(a), authorizes the Small Business Administration to enter into contracts with government agencies and to arrange for performance through subcontracts with socially and economically disadvantaged small business concerns. Federal Acquisition Regulation (FAR) 19.800. This program is commonly referred to as the 8(a) program.

We deny the protest.

BACKGROUND

On December 12, 2023, the Army issued the RFP pursuant to the fair opportunity source selection procedures of FAR subpart 16.5 to holders of the General Services Administration's (GSA) One Acquisition Solution for Integrated Services (OASIS) multiple award indefinite-delivery, indefinite-quantity (IDIQ) contract. Contracting Officer's Statement and Memorandum of Law (COS/MOL) at 3. The RFP, which the agency amended four times, sought a contractor to provide declassification program support services to the Army declassification directorate. *Id.*; Agency Report (AR), Tab 4, RFP at 4. The RFP contemplated the issuance of a single task order with a 12-month base period, four 12-month option periods, and fixed-price and cost-reimbursable contract line items. RFP at 4-5.

The RFP established that the task order would be issued to the offeror whose proposal was determined to be the most advantageous to the Army, considering three evaluation factors: (1) security requirements (to be evaluated on an acceptable/unacceptable basis); (2) technical capability and management approach; and (3) price. AR, Tab 7, RFP attach. 3 at 14. The RFP provided that the agency would make award using a best-value tradeoff, with the technical capability and management approach factor being significantly more important than price. *Id.* at 15-16.

The technical capability and management approach factor consisted of four equally weighted key areas: (1) declassification support and records processing and handling; (2) staffing plan/retention and key personnel; (3) quality control plan (QCP) and monthly reports; and (4) project management and transition plans. RFP attach. 3 at 15-16. Each of the key areas included several specific criteria that would be evaluated. *Id.* at 18-21. For example, for the QCP and monthly reports key area, the agency would evaluate the extent to which the offeror's proposed QCP provided a comprehensive, verifiable, and self-implementing approach for monitoring performance. *Id.* at 20.

The RFP provided that the Army would assign an overall adjectival rating for the technical capability and management approach factor based on the strengths and weaknesses found in each of the key areas. RFP attach. 3 at 16. As relevant here, the RFP defined a rating of outstanding as "Proposal indicates an exceptional approach and understanding of the requirement, contains multiple strengths, and risk of unsuccessful performance is low" and a rating of good as "Proposal indicates a thorough approach and understanding of the requirements and contains at least one strength, and risk of unsuccessful performance is low to moderate."² *Id.* at 17.

² The RFP stated: "Strength is an aspect of an Offeror's proposal with merit or will exceed the Government's specified performance or capability requirements to the advantage of the Government during task order performance." RFP attach. 3 at 17. The RFP defined a weakness as "an aspect or omission in the Offeror's proposal that
(continued...)"

The agency received five proposals, including those submitted by Inalab and KYM. AR, Tab 26, Fair Opportunity Decision Document (FODD) at 5. The evaluators assessed the protester’s and the awardee’s proposals as follows:

	Inalab	KYM
Security Requirements	Acceptable	Acceptable
Technical & Management Approach	Good	Outstanding
Price	\$22,092,936	\$22,359,148

Id. at 10.

In evaluating Inalab’s proposal, the technical evaluation team (TET) assessed 10 strengths and two weaknesses under the technical and management approach factor. AR, Tab 22, Inalab TET Report at 2. The first weakness pertained to the declassification support and records processing and handling key area. The Army assessed a weakness because Inalab’s proposal provided an archivist who would “assist[] the Army to identify, select, and request all records requiring review,” whereas the TET found that the task order limited the archivist’s role to retrieving records. *Id.* at 4. The evaluators concluded that the protester did not have a complete understanding of the requirements. *Id.*

As also relevant here, the Army assessed a weakness under the QCP and monthly reports key area after finding the protester’s proposal lacked details concerning monthly reports. AR, Tab 22, Inalab TET Report at 6. The evaluators stated:

This requirement is a [contract data requirements list] reporting area of the [Performance Work Statement (PWS)], making it necessary. The proposal made a few brief references to providing information on a monthly basis in other sections, but failed to provide a clear approach with substantial details as to what information would be provided in the Monthly Report.

Id.

As noted above, the TET assigned Inalab’s proposal a rating of good under the technical and management approach factor, noting “the Offeror has demonstrated a robust and well-structured technical approach, demonstrating an understanding of the organization’s declassification requirements.” AR, Tab 22, Inalab TET Report at 2. The evaluators wrote: “The overall rating reflects their keen understanding of meeting requirements in multiple Key Areas based on this proposal’s number of strengths and weaknesses observations.” *Id.*

does not meet the Government’s requirement and th[at] increases the risk of unsuccessful task order performance.” *Id.*

In evaluating KYM's proposal under the technical and management approach factor, the TET assessed 13 strengths, no weaknesses, and a rating of outstanding. AR, Tab 23, KYM TET Report at 2. The TET noted that KYM's proposal "demonstrated an exceptional understanding and a technically capable approach" and stated:

[KYM's] proposal stands out as an exemplar of excellence, surpassing all expectations for our organization's requirements. In every facet of the evaluation, they have demonstrated a thorough understanding of our needs and a commitment to meeting the highest standards associated with government contracts. [KYM] also demonstrated its ability to exceed the PWS requirements.

Id.

The source selection official (SSO) reviewed the evaluators' findings and the proposals and determined that KYM's proposal represented the best value. COS/MOL at 14. In the FODD, the SSO discussed the strengths and weaknesses identified in each proposal. AR, Tab 26, FODD at 6-8. The SSO noted that KYM's proposal received more strengths than the other proposals and was the only proposal to not receive any weaknesses. *Id.* at 10. The SSO observed that KYM "took [the] proposal to the next level." *Id.* The SSO discussed elements of the proposal that demonstrated KYM's ability to innovate and improve processes, such as its [REDACTED]. *Id.* The SSO also considered Inalab's proposal and noted the weaknesses discussed above, which the SSO found increased the risk of unsuccessful performance.³ *Id.* at 12. The SSO concluded that KYM's technical capability and management approach was "clearly superior" to Inalab's approach and warranted the approximately \$300,000 (or 1.2 percent) higher price. *Id.*

After requesting and receiving a debriefing, Inalab filed this protest with our Office.⁴

³ The SSO also observed that while Inalab's proposal received a weakness for failing to provide sufficient detail concerning the monthly reports, KYM's proposal received a strength for providing extensive detail about the items that would be [REDACTED], how the [REDACTED], and how [REDACTED]. AR, Tab 26, FODD at 12.

⁴ On March 18, 2024, Inalab filed its initial protest with our Office, then on March 22 it filed a consolidated initial and first supplemental protest. Our citations refer to the later submitted consolidated filing as "the protest."

This protest is within our jurisdiction to hear protests of task orders valued in excess of \$10 million placed under civilian agency IDIQ contracts. 41 U.S.C. § 4106(f)(1)(B); *Booz Allen Hamilton Eng'g Servs., LLC*, B-411065, May 1, 2015, 2015 CPD ¶ 138 at 6 n.12. While the task order here will be in support of a Department of Defense organization, the authority under which we exercise our task order jurisdiction is determined by the agency that awarded the underlying IDIQ task order contract, which

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DISCUSSION

Inalab challenges various aspects of the Army's evaluation of the offerors' technical proposals and the best-value tradeoff decision. Inalab raises other collateral issues to those discussed in this decision. While our decision does not address every argument or variation thereof, we have considered them all and find that none provides a basis to sustain the protest.

Preliminary Issues

Before turning to the merits of Inalab's protest, we address the agency's request for partial dismissal. The protester alleges that KYM misrepresented the availability of key personnel and complains that the agency miscalculated KYM's transition plan because the awardee did not have all personnel in place at the start of performance. Protest at 20-22. To support these allegations, the protester relies on job postings from KYM's website and a declaration from an individual who was told that three individuals in key personnel positions were hired by KYM after award. Before filing the agency report, the Army submitted a request for partial dismissal, asking our Office to dismiss these protest grounds. The agency argues that Inalab's assertion that KYM misrepresented the availability of key personnel was factually and legally insufficient, and the protest of the evaluation of the awardee's transition plan was speculative and involved matters of contract administration. Req. for Partial Dismissal at 11-18. After reviewing the agency's request and the protester's response, we advised the parties that the agency need not respond to either allegation in its agency report. GAO Notice Concerning Req. for Partial Dismissal.

Our Bid Protest Regulations require that a protest include a detailed statement of the legal and factual grounds for the protest, and that the grounds stated be legally sufficient. 4 C.F.R. §§ 21.1(c)(4), (f). These requirements contemplate that protesters will provide, at a minimum, either allegations or evidence sufficient, if uncontradicted, to establish the likelihood that the protester will prevail in its claim of improper agency action. *Criterion Sys., Inc.*, B-419749 *et al.*, July 21, 2021, 2021 CPD ¶ 261. Additionally, unsupported assertions that are mere speculation on the part of the protester do not provide an adequate basis for protest. *Chugach Logistics-Facility Services JV, LLC*, B-421351, Mar. 21, 2023, 2023 CPD ¶ 80 at 4.

Here, we dismiss the protester's allegation that KYM misrepresented the availability of key personnel because the solicitation did not require offerors to identify key personnel. Accordingly, Inalab has not provided allegations or evidence sufficient, if uncontradicted, to establish the likelihood of improper agency action and, thus, fails to state a valid basis for protest. See *Management & Training Corp.*, B-420568, B-420568.2, May 10, 2022, 2022 CPD ¶ 114 at 3-4.

in this instance is GSA. See *Wyle Labs., Inc.*, B-413989, Dec. 5, 2016, 2016 CPD ¶ 345 at 4.

We also dismiss the protester's allegations concerning the evaluation of KYM's transition plan. In the protest, Inalab asserts: "The Agency accepted KYM's proposed 100 [percent] staffing that KYM promised but failed to deliver, as it had not hired a single person available to start on the day of transition. This should have been a weakness for KYM." Protest at 22 (internal citation omitted). We dismiss this argument because the protest ground relies on unsupported speculation about what KYM proposed as part of its transition. Inalab offers no basis for the premise of its challenge that KYM proposed to fully staff the transition at the start of the transition period. *CAMRIS Int'l, Inc.*, B-416561, Aug. 14, 2018, 2018 CPD ¶ 285 at 3 (dismissing protest as speculative when the protester has no knowledge of the contents of the awardee's proposal).

Technical Capability and Management Approach Factor Evaluation

With regard to the protester's remaining allegations, Inalab argues that multiple aspects of the agency's evaluation of the offerors' proposals under the technical capability and management approach factor were unreasonable. We have reviewed all of Inalab's arguments and discuss below several representative examples of the protester's assertions, the agency's responses, and our conclusions.

At the outset, we note that the evaluation of proposals in a task order competition is primarily a matter within the contracting agency's discretion, because the agency is responsible for defining its needs and the best method of accommodating them. *NCI Info. Sys., Inc.*, B-418977, Nov. 4, 2020, 2020 CPD ¶ 362 at 5. In reviewing protests of an award in a task order competition, we do not reevaluate proposals, but examine the record to determine whether the evaluation and source selection decision are reasonable and consistent with the solicitation's evaluation criteria and applicable procurement laws and regulations. *DynCorp Int'l LLC*, B-411465, B-411465.2, Aug. 4, 2015, 2015 CPD ¶ 228 at 7. A protester's disagreement with the agency's judgment regarding the evaluation of proposals or quotations, without more, is not sufficient to establish that an agency acted unreasonably. *Imagine One Tech. & Mgmt., Ltd.*, B-412860.4, B-412860.5, Dec. 9, 2016, 2016 CPD ¶ 360 at 4-5.

Assignment of Adjectival Rating

The protester complains that it was unreasonable for the agency to assign Inalab's proposal a rating of good under the technical capability and management approach factor because Inalab's proposal received 10 strengths, the agency used superlatives in the evaluation report, and the Army found the proposal presented a low risk. Protest at 14-16. The Army responds that the TET's rating for Inalab's proposal under this factor was reasonable. COS/MOL at 25.

Agencies have considerable discretion in making subjective judgments about the technical merit of proposals, and technical evaluators are given the discretion to decide whether a proposal "deserves a 'good' as opposed to a 'very good' rating." *JAM Corp.*, B-408775, Dec. 4, 2013, 2013 CPD ¶ 282 at 4 (quoting *CAS, Inc.*, B-260934.2,

B-260934.3, Sept. 12, 1995, 95-2 CPD ¶ 239 at 4). The evaluation of proposals and the assignment of adjectival ratings should not be based upon a simple count of strengths and weaknesses, but upon a qualitative assessment of the proposals consistent with the evaluation scheme. *Perspecta Eng'g, Inc.*, B-420501.2, B-420501.3, Dec. 13, 2022, 2022 CPD ¶ 314 at 10. Moreover, it is well established that adjectival descriptions and ratings serve only as a guide to, and not a substitute for, intelligent decision-making. *Id.* Where an agency reasonably considers the underlying bases for the ratings—including advantages and disadvantages associated with the specific content of competing proposals—in a manner that is fair and consistent with the terms of the solicitation, a protester's disagreement over the actual adjectival ratings, without more, does not render the agency's judgment unreasonable.

Based on our review of the record, we find the agency's assignment of a rating of good for this factor to be reasonable and consistent with the solicitation. As noted above, the RFP defined a rating of good as "Proposal indicates a thorough approach and understanding of the requirements and contains at least one strength, and risk of unsuccessful performance is low to moderate." RFP attach. 3 at 17. The evaluation findings support a rating of good. The TET found that Inalab's proposal "indicate[d] a thorough understanding of the requirements outlined in the solicitation." AR, Tab 22, Inalab TET Report at 2. The TET wrote: "Across key areas, [Inalab] demonstrates a thorough understanding of the intricacies associated with the Army Declassification program." *Id.* at 3. At no point did the TET describe Inalab's technical approach as exceptional, which was a component of the RFP's definition of an outstanding rating.

Furthermore, although the protester focuses on the number of strengths its proposal received, the RFP did not require the agency to assign a rating of outstanding when a proposal contained multiple strengths. The record reflects that Inalab's proposal was evaluated as having merit and presenting a low risk of unsuccessful performance, and that the agency reasonably exercised its business judgment in assigning an appropriate rating. On this record, we find no basis to sustain the protest where the record demonstrates that the agency reasonably and fairly evaluated the protester's proposal in accordance with the solicitation's requirements. *See Horizon Strategies, LLC*, B-419419.5, B-419419.6, Mar. 15, 2023, 2023 CPD ¶ 71 at 15-16.

Weaknesses in Inalab's Proposal

The protester challenges each of the weaknesses that the Army identified in Inalab's proposal. We address each weakness in turn.

As noted above, the Army assessed a weakness to Inalab's proposal because the proposal stated that Inalab's archivist would identify, select, and request all records requiring review, whereas, in the agency's view, the PWS limited the archivist's role to retrieving records. AR, Tab 22, Inalab TET Report at 4; COS/MOL at 31. The protester contends that the weakness is unreasonable because the PWS provides that the "contractor shall assist in identifying and selecting Army records requiring review for declassification." Protest at 16 (*quoting*, AR, Tab 5, RFP attach. 1, PWS at 28).

The Army responds that the PWS language the protester quotes to support its argument pertains to the general description of the contractor's responsibility for one of the PWS tasks (records transportation and handling) and not the responsibilities of a given position. COS/MOL at 31. The agency states that the contractor would only assist in retrieving and preparing records for review when so tasked by the agency. *Id.* at 33. The agency notes that the PWS specified that the government's archivist would be responsible for identifying and locating the records; it did not mention a contractor archivist position, which the agency characterizes as being a creation of Inalab. *Id.* at 33-34.

Based on our review of the record, we see no basis to object to the assessment of this weakness. As the agency notes, the PWS does not contemplate a contractor archivist position. See *generally* PWS. The only reference to an archivist is to a "Government Archivist." *Id.* at 35. The protester claims that the PWS's description of the records transportation and handling task supports its interpretation of the requirements, but the protester reads the words "assist in identifying and selecting Army records" in isolation. The other parts of that section of the PWS discuss in detail the contractor transporting documents, creating barcodes, reviewing the contents of boxes, and using appropriate vehicles. *Id.* at 28. There is no further discussion of identifying and selecting records, and the Army states the contractor is not responsible for those tasks. COS/MOL at 32; AR, Tab 38, TET Chair Decl. at 5-6. Inalab's discussion of a contractor archivist caused the agency to question Inalab's understanding of the requirements, and the agency assessed a weakness accordingly. The protester has not shown the assessment of the weakness was unreasonable.

Inalab also challenges the weakness that the TET assessed under key area 3, titled "(Management Approach) Quality Control Plan and Monthly Status Reports." This weakness was based on the TET's conclusion that Inalab's proposal lacked details concerning the information that would be provided in the monthly reports. Protest at 16-17. The protester argues that the solicitation's evaluation criteria did not envision the evaluation of monthly reports. *Id.* The Army counters that offerors were on notice of the requirement to address monthly reports because "monthly status reports" is in the name of this key area, and the evaluation criteria provided, in relevant part:

The Government will evaluate the Offeror's proposed QCP to assess the extent to which it provides a comprehensive, verifiable, and self-implementing approach for monitoring the Offeror's performance at each organization while ensuring that it does not require the Government to perform this assurance function. The Government will further evaluate:

- The Offeror's overall approach for its quality, relevance, and appropriate approach describing procedures, documentation, and methods for tracking the requirement objectives including communication with the Government, handling of corrective actions, and implementing improvements.

COS/MOL at 37-38 (*quoting* RFP attach. 3 at 20). The agency also states that the monthly status report is a platform to communicate information from and related to the QCP to the agency. *Id.* at 38-39 (*quoting* AR, Tab 38, TET Lead Decl. at 7).

Agencies are required to evaluate proposals based solely on the factors identified in the solicitation. *Weston-ER Fed. Servs., LLC*, B-418509, B-418509.2, June 1, 2020, 2020 CPD ¶ 311 at 14. While agencies properly may apply evaluation considerations that are not expressly outlined in the RFP if those considerations are reasonably and logically encompassed within the stated evaluation criteria, there must be a clear nexus between the stated and unstated criteria. *Id.*

Although the parties disagree about the assessment of this weakness, we do not resolve the question of whether the assessment of this weakness was consistent with the terms of the solicitation because Inalab has not demonstrated that this aspect of the evaluation resulted in competitive prejudice. 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. *Information Mgmt. Res., Inc.*, B-418848, Aug. 24, 2020, 2020 CPD ¶ 279 at 7 n.4. Where the record establishes no reasonable possibility of prejudice, we will not sustain a protest irrespective of whether a defect in the procurement is found. *Procentrix, Inc.*, B-414629, B-414629.2, Aug. 4, 2017, 2017 CPD ¶ 255 at 11-12.

The protester contends the weakness is independently prejudicial because "with this weakness removed, its rating likely would have been elevated to outstanding. Coupled with its lower price, Inalab would have had a substantial chance at receiving award." Comments & Supp. Protest at 10. However, as discussed above, to warrant a rating of outstanding, a proposal needed to demonstrate an exceptional approach and understanding, and the TET did not find that Inalab's proposal rose to that level. The protester has not shown that removing the weakness would have resulted in the TET finding an exceptional approach. In contrast, the TET rated KYM's proposal as outstanding.⁵ AR, Tab 26, FODD at 6.

Additionally, as noted above, the agency selected KYM's proposal for award because KYM took its "proposal to the next level" with elements that demonstrated "its ability to innovate and improve existing Army processes and procedures in the future." *Id.* at 10. The SSO found that KYM's "proposal emerged as the most advantageous option, offering a combination of technical proficiency, innovative strategies, and a clear understanding of project objectives, and concepts that can carry the program to the next level in the future." *Id.* at 11. The SSO also noted that KYM offered a more comprehensive and thorough approach than Inalab. *Id.* at 12. Given that the award decision was based on the merits of KYM's proposal--as opposed to the weakness

⁵ We note that with the exception of alleging that the Army misevaluated KYM's transition plan (an argument that we deny, below), the protester does not otherwise challenge the assignment of an outstanding rating to KYM's proposal.

identified in the protester's proposal--we find that even if the weakness was assessed in error, the protester was not prejudiced.

Additional Strengths

The protester contends that the technical capability and management approach factor evaluation was unreasonable because the agency acknowledged positive aspects of Inalab's proposal in the debriefing but did not assign strengths for those features. Protest at 17-18. For example, the protester complains that the Army praised Inalab for its comprehensive strategy that emphasized proactive methods for handling sensitive and classified information, but it did not assess a strength for that aspect of its proposal. *Id.* at 17. The agency responds that while Inalab's proposal met the requirement to demonstrate it was capable of handling sensitive and classified information, the proposal did not receive a strength because it did not exceed the requirements or provide a benefit to the agency.

An agency's judgment that the features identified in a proposal did not significantly exceed the requirements of the solicitation--and thus did not warrant the assessment of unique strengths--is a matter within the agency's discretion and one that we will not disturb where the protester has failed to demonstrate that the evaluation was unreasonable. *Protection Strategies, Inc.*, B-416635, Nov. 1, 2018, 2019 CPD ¶ 33 at 8 n.4. In that regard, an agency's contemporaneous evaluation record is not required to "prove a negative," or document determinations of adequacy (i.e., why a proposal did not receive a strength or weakness). See, e.g., *Cognosante MVH, LLC*, B-418986 *et al.*, Nov. 13, 2020, 2021 CPD ¶ 3 at 8. When a protester raises a challenge regarding why a proposal was not assigned a strength or weakness, we review whether the agency's explanation or documentation--contemporaneous or otherwise--demonstrates that the evaluation was reasonable and consistent with the stated evaluation criteria. See *Cognosante, supra* at 7-8 (finding the statements from the evaluators and contracting officer responding to the protester's arguments demonstrated the reasonableness of the agency's decision not to assign the challenged strengths).

Based on our review of the record, we find no basis to object to the agency's evaluation of this aspect of Inalab's proposal. The protester has not shown that its proposal exceeded the applicable requirements or provided a unique benefit to the agency. The protester does nothing more than restate positive comments from the debriefing and claim that the Army should have identified a strength for the corresponding element of its proposal. Accordingly, we reject the protester's assertions that it was unreasonable for the agency not to assess an additional strength in Inalab proposal. See *Tech Marine Business, Inc.*, B-420872 *et al.*, Oct. 14, 2022, 2022 CPD ¶ 260 at 9.

Evaluation of KYM's Transition Plan

Inalab contends that the Army's evaluation was unreasonable, challenging one of two strengths the TET identified in KYM's proposal for its transition plan. The protester contends that KYM's proposal did not include the elements required by the solicitation.

Comments & Supp. Protest at 15. The agency responds that KYM's transition plan met or exceeded all requirements. Supp. COS/MOL at 5.

The relevant language from the RFP provided:

The Government will evaluate the Offeror's proposed transition plan to ensure the Phase-In plan contains a reasonable, realistic approach for assuming full contractual responsibility without disruption or degradation of performance during the transition period. The Government's evaluation will include a review of a detailed schedule and required staffing, on-boarding, badging, and knowledge transfer approach.

RFP attach. 3 at 21. The protester asserts that KYM did not propose a detailed schedule or address the elements identified in PWS section 5.4.3, transitioning strategy.⁶ Comments & Supp. Protest at 16.

We have reviewed the record and find no basis to object to this aspect of the agency's evaluation. As an initial matter, we reject Inalab's allegation that KYM's proposal did not include a detailed schedule. As the Army points out, KYM's proposal included a table that identified various program management, staffing, turnover, and communications activities that would occur after award. Supp. COS/MOL at 6-7 (*citing* AR, Tab 21, KYM Technical Proposal at 22-23). Additionally, in the narrative section of the proposal, KYM discussed the schedule for on-boarding, the availability of lead personnel, a kick-off meeting, and recruiting activities--the elements that Inalab claims are missing. AR, Tab 21, KYM Technical Proposal at 23-24. The agency found that KYM's proposal met--and in some ways exceeded--the requirements, and the protester's disagreement does not establish that the agency's judgment was unreasonable.⁷

As for KYM's purported failure to address various elements discussed in PWS section 5.4.3, transitioning strategy, as the agency states, the referenced PWS section pertains to the post-award transition plan, which was not due until 15 days after task order issuance. Supp. COS/MOL at 8-9; PWS at 26 ("The Transition Plan is due no later than fifteen (15) days after the date of the contract being awarded."). The agency states that the evaluation criteria for the transition plan did not reference the PWS section or the post-award transition plan, and the Army did not expect offerors to

⁶ Section 5.4.3 of the PWS, transitioning strategy, pertains to the post-award transition plan and provides that the transition strategy should address the following elements: task order leadership, key positions, materials transfer, knowledge transfer, information/data transfer, impacts, risk, and schedule. PWS at 26.

⁷ The TET assigned two strengths to KYM's proposal for this key area. AR, Tab 23, KYM TET Report at 7-8. The TET assessed the first strength because KYM's transition plan provided for a seamless transition with seasoned professionals, and it assessed the second strength because of KYM's ability to staff contracts using its [REDACTED]. *Id.* at 8.

address those requirements. COS/MOL at 8-9. Again, we agree with the agency. The RFP did not require offerors to address aspects of PWS section 5.4.3, transitioning strategy. The protester has not established that KYM's proposal did not meet the solicitation requirements or that this aspect of the agency's evaluation was otherwise unreasonable.

Best-Value Tradeoff Decision

Inalab contends that the agency's best-value tradeoff decision was unreasonable because it was based on a flawed evaluation, the agency did not consider the underlying basis for the ratings, and the SSO failed to consider the areas of Inalab's proposal that exceeded KYM's proposal. Protest at 22-23; Comments & Supp. Protest at 14-15 and 19-20. The Army responds that the trade-off decision was reasonable, and the SSO reasonably determined that the advantages in KYM's technical approach warranted paying the slight premium. COS/MOL at 58-59; Supp. COS/MOL at 16-23.

Where, as here, a procurement provides for issuance of a task order on the basis of a best-value tradeoff, it is the function of the source selection official to perform a price/technical tradeoff, that is, to determine whether one proposal's technical superiority is worth its higher price. *Accenture Fed. Servs. LLC et al.*, B-417111.5 *et al.*, Sept. 4, 2019, 2019 CPD ¶ 339 at 13. Source selection officials have broad discretion to determine the manner and extent to which they will make use of evaluation results, and they must use their own judgment to determine what the underlying differences between proposals might mean to successful performance of the contract. *ERC Inc.*, B-407297, B-407297.2, Nov. 19, 2012, 2012 CPD ¶ 321 at 6. Before an agency can select a higher-priced proposal that has been rated technically superior to a lower-priced but acceptable one, the award decision must be supported by a rational explanation of why the higher-rated proposal is, in fact, superior, and explaining why its technical superiority warrants paying a price premium. *R&K Enterprise Sols. Inc.*, B-419919.6 *et al.*, Sept. 12, 2022, 2022 CPD ¶ 237 at 12. While source selection decisions must be documented, such documentation need not reflect every consideration factored into the tradeoff decisions; rather, the documentation need only be sufficient to establish that the agency was aware of the relative merits and costs of the competing proposals and that the source selection decision was reasonably based. FAR 16.505(b)(7); *General Dynamics Info. Tech., Inc.*, B-415568, B-415568.2, Jan. 25, 2018, 2018 CPD ¶ 63 at 12.

As an initial matter, we reject the protester's argument that the agency's best-value tradeoff decision was based on a flawed evaluation. As discussed above, we find the evaluation was reasonable.

As for Inalab's other assertions, contrary to the protester's arguments, the record reflects that the SSO looked beyond the adjectival ratings and reasonably considered the qualitative differences between the proposals across all evaluation factors. For example, the SSO noted that Inalab's "proposed team in the organizational chart appears to exhibit a wealth of expertise and relevant certification" and that Inalab

proposed “a systematic onboarding process and comprehensive training program, ensuring a seamless transition and knowledge transfer.” AR, Tab 26, FODD at 6. Likewise, the SSO noted that KYM proposed to use its [REDACTED] and other innovative solutions. *Id.* at 10-11. The protester complains that the SSO did not discuss every positive aspect and strength identified in its proposal, but the documentation need not mention every consideration that factored into the decision. FAR 16.505(b)(7); *General Dynamics Info. Tech., supra.*

Here, the SSO reviewed the evaluation results, including all strengths and weaknesses identified in the proposals, and determined that KYM’s proposal was overall superior to Inalab’s under the nonprice factors. The SSO also concluded that KYM’s proposal, which was priced a slight 1.2 percent higher than Inalab’s, was worth the price premium. The protester’s disagreement does not demonstrate that the SSO’s tradeoff decision was unreasonable.

The protest is denied.

Edda Emmanuelli Perez
General Counsel