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**Comptroller General
of the United States**

**United States Government Accountability Office
Washington, DC 20548**

Decision

Matter of: TECHi2, LLC

File: B-297178.2

Date: November 28, 2005

Geoffrey Malafsky for the protester.

John R. Tolle, Esq., and William T. Welch, Esq., Barton, Baker, McMahon, Hildebrant & Tolle, LLP, for Anteon Corporation, an intervenor.

Judith A. Bonner, Esq., General Services Administration, for the agency.

Scott H. Riback, Esq., and John M. Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest objecting to agency's evaluation of offerors' past performance is denied where record shows evaluation was reasonable and consistent with solicitation's evaluation scheme.

DECISION

TECHi2, LLC protests the General Services Administration's (GSA) award of a task order to Anteon Corporation under request for proposals (RFP) No. G-030500132, issued to acquire command and control strategy support services for the United States Marine Corps (USMC) Command and Control (C2) Integration Division, Expeditionary Force Development Center (EFDC). TECHi2 maintains that the agency misevaluated proposals in making its award decision.

We deny the protest.

GSA, on behalf of the USMC, solicited proposals from FSS contractors to perform, on a time and materials basis, a task order to provide support for the development of a command and control (C2) strategy campaign plan that will serve as the basis for developing USMC C2 systems and training and operational procedures, as well as the performance of an alternate options analysis. The support services to be provided include engineering, the analysis of models, technologies and best practices, and the briefing of various USMC commands. Agency Report (AR), exh. 2, at 1-2. The solicitation provided for a "best value" evaluation based on price and three non-price factors, listed in descending order of importance: past performance, task technical

understanding, and qualifications/experience of personnel. Technical proposals were more important than price.

Regarding past performance, the RFP required offerors to provide information describing two contracts (either ongoing, or performed within the last 3 years) that were similar to the current requirement in terms of size, complexity and technical scope, and emphasized that greater evaluation value would be assigned to contracts most directly related to the current requirement. AR, exh. 3, at 2.

Anteon and TECHi2 submitted proposals. The agency evaluated the proposals, engaged in discussions with both firms, and obtained and evaluated final proposal revisions (FPR). GSA assigned highly acceptable ratings to both firms' proposals under the past performance and qualifications/experience of personnel factors, and acceptable ratings to both under the task technical understanding factor; overall, both proposals were rated highly acceptable. AR, exh. 12, at 2-4. On the basis of these evaluation results, the agency concluded that the two proposals were technically equal, and thus made award to Anteon based on its lower total evaluated price--\$1,471,933, versus TECHi2's evaluated price of \$1,709,604.

TECHi2 asserts that the agency miscalculated the firms' past performance. According to the protester, because it performed the predecessor contract for the current requirement, it should have received a higher past performance rating than Anteon.

Where a protester challenges the evaluation of past performance, we will examine the agency's evaluation to ensure that it was reasonable and consistent with the solicitation's evaluation criteria, and with relevant procurement statutes and regulations. Hanley Indus., Inc., B-295318, Feb. 2, 2005, 2005 CPD ¶ 20 at 4.

The evaluation here was unobjectionable. TECHi2's performance of the predecessor contract was deemed by the agency to be directly relevant to the current requirement, and its second contract--for the development of a pre-acquisition portal for an enterprise shared data environment for the USMC--was deemed somewhat related, based on a finding that it required preparation of an alternate options analysis, and also demonstrated an understanding of the USMC warfighting and business processes. AR, exh. 7, at 3.

Anteon's contracts were found to be similarly relevant. Anteon's first contract--to provide services to the USMC EFDC, the same activity where the current requirement will be performed--was deemed directly relevant by the evaluators. Specifically, the evaluators found:

This task includes providing support to the EFDC in translating future warfighting concepts into detailed C2 requirements. This contract has direct relevance to the current requirement and benefits to the government are derived from the task being focused both internally on

USMC processes as well as externally on participation in Joint Forums. This contract also provides relevant on-site technical and analytical support for USMC, Navy and Joint C2 policy and operational requirements issues.

AR, exh. 7, at 2. Anteon's second contract--for services focusing on aviation, air command and control transformation for the USMC's aviation C2 requirements--was deemed somewhat relevant because it required daily interface with the customer, support of numerous internal process teams and working groups, and the development of a unified plan and vision for the USMC.

TECHi2's has not demonstrated that the agency's evaluation conclusions are unreasonable. Both firms' past performance was found to include directly relevant and somewhat relevant contracts, and the fact that TECHi2 performed the predecessor contract does not detract from the relevance of Anteon's past performance. The RFP did not provide that only performance of the predecessor contract would be deemed directly relevant past performance, or that performance of the predecessor contract automatically would receive greater evaluation credit than other offerors' directly relevant experience. We conclude that there is no basis to object to the agency's conclusion that the firms' proposals were essentially technically equal in the area of past performance.

TECHi2 also asserts that the fact that the award decision turned on price, a factor assigned less evaluation weight than the non-price factors, shows that the agency improperly failed to adhere to the relative weighting of factors under the evaluation scheme. This argument is without merit. As noted, the agency found the proposals technically equal under the non-price evaluation factors. Under these circumstances, price properly became the basis for distinguishing between the proposals for purposes of determining which represented the best value to the government, notwithstanding its lesser weight.

The protest is denied.

Anthony H. Gamboa
General Counsel