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# Decision

**Matter of:** Open SAN Consulting, LLC- dba OSC Edge

**File:** B-423287; B-423287.2

**Date:** April 25, 2025

Stuart W. Turner, Esq., Nicole A. Williamson, Esq., and Kyung Liu-Katz, Arnold & Porter Kaye Scholer LLP, for the protester.

Tracye Winfrey Howard, Esq., Paul F. Khoury, Esq., W. Benjamin Phillips, III, Esq., and Jonathan C. Clark, Esq., Wiley Rein LLP, for Scientific Research Corporation, the intervenor.

Ana F. Smith, Esq., and Diana L. King, Esq., Department of the Navy, for the agency. Heather Weiner, Esq., and Jennifer D. Westfall-McGrail, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

## DIGEST

Protest challenging agency evaluation of proposals and tradeoff decision is denied where the evaluation and tradeoff decision were reasonable and consistent with the terms of the solicitation.

## DECISION

Open SAN Consulting LLC, doing business as OSC Edge (OSC), of Atlanta, Georgia, protests the issuance of a task order to Scientific Research Corporation (SRC), also located in Atlanta, Georgia, under task order request for proposals (TORFP) No. N66001-24-R-3522, issued by the Department of the Navy, Naval Information Warfare Center Pacific for technical engineering and installation services. OSC challenges the evaluation of the offerors' organizational experience and key personnel. The protester also argues that the best-value trade-off determination was unreasonable.

We deny the protest.

## BACKGROUND

On July 24, 2024, the Navy issued the TORFP to holders of the Navy's SeaPort Next Generation multiple-award, indefinite-delivery, indefinite-quantity (IDIQ) contract, pursuant to the procedures of Federal Acquisition Regulation (FAR) part 16. Agency

Report (AR), Tab 5, TORFP at 1.<sup>1</sup> The solicitation seeks proposals to provide technical engineering and installation services to support a new command and control facility at the U.S. Space Command in Colorado Springs, Colorado. *Id.* at 73. The TORFP contemplated the issuance of a cost-plus-fixed-fee task order with a 1-year base period and four 1-year option periods. *Id.* at 13; AR, Tab 7, Business Clearance Memorandum (BCM) at 4; Contracting Officer's Statement and Memorandum of Law (COS/MOL) at 2.

Award was to be made on a best-value tradeoff basis considering three factors: organizational experience, key personnel, and cost.<sup>2</sup> TORFP at 68. The organizational experience factor was of equal importance to the key personnel evaluation factor. *Id.* The non-cost evaluation factors, when combined, were significantly more important than cost. *Id.*

Under the organizational experience factor, the agency was to evaluate each offeror's experience related to five key areas: key area 1 (hiring and retaining engineering professionals), key area 2 (enterprise server), key area 3 (enterprise system management), key area 4 (virtual desktop infrastructure); and key area 5 (consolidated infrastructure administration). *Id.* at 62. To demonstrate its experience, each offeror was to provide up to three references. *Id.* Under the key personnel factor, the agency was to evaluate the extent to which the offeror's proposed key personnel met and exceeded desired qualifications set forth in the TORFP. *Id.* at 70.

The Navy received timely submitted proposals from five offerors, including OSC and SRC. AR, Tab 7, BCM at 8; COS/MOL at 4. After evaluating the proposals, the agency assigned OSC's and SRC's proposals the following ratings:<sup>3</sup>

	OSC	SRC
<b>Acceptability</b>	Acceptable	Acceptable
<b>Organizational Experience</b>	Good	Outstanding
<b>Key Personnel</b>	Good	Outstanding
<b>Total Evaluated Cost</b>	\$43,395,597	\$44,338,534

AR, Tab 7, BCM at 9, 46.

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<sup>1</sup> Citations to the record are to the documents' Adobe PDF pagination. The agency amended the TORFP twice; all citations to the TORFP are to the consolidated amended version at tab 5 of the agency report.

<sup>2</sup> Prior to the evaluation of technical capability and cost, the TORFP also provided for a determination of acceptability for each offer on a pass/fail basis. TORFP at 69-70.

<sup>3</sup> The agency evaluated proposals under the non-price factors as: outstanding, good, acceptable, marginal or unacceptable. AR, Tab 8, Source Selection Evaluation Board Report (SSEB Report) at 3.

In conducting the best-value tradeoff, the agency found that “SRC’s superior demonstrated organizational experience and [its] ability to provide higher qualified key personnel warrants paying an \$868,457.74 or 2% evaluated cost premium over OSC’s evaluated cost, across the span of 5-years to a more qualified contractor.” *Id.* at 46. The agency concluded that SRC’s proposal represented the best value to the government. *Id.*

On December 23, 2024, the agency notified OSC that its proposal had not been selected for award. AR, Tab 1, Notice of Award. After requesting and receiving a debriefing that concluded on January 13, 2025, OSC filed this protest with our Office.<sup>4</sup>

## DISCUSSION

The protester raises numerous arguments challenging the agency’s evaluation of the offerors’ proposals under the organizational experience and key personnel factors. For example, the protester challenges a weakness assessed to its proposal under the organizational experience factor. The protester also contends that the Navy unreasonably failed to assign a significant strength to its proposal under the key personnel factor. With regard to the awardee, the protester asserts that the agency improperly allowed SRC to provide more than the three references allowed by the solicitation in support of its organizational experience. Finally, the protester maintains that the best-value tradeoff was unreasonable. For the reasons discussed below, we find no basis to sustain the protest.<sup>5</sup>

The evaluation of an offeror’s proposal is a matter within the agency’s discretion. *National Gov’t Servs., Inc.*, B-401063.2 *et al.*, Jan. 30, 2012, 2012 CPD ¶ 59 at 5. 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 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. Agencies must treat all offerors equally and evaluate their proposals evenhandedly against the solicitation’s evaluation criteria. *Cubic Applications, Inc.*, B-411305, B-411305.2, July 9, 2015, 2015 CPD ¶ 218 at 7. A protester’s disagreement with the agency’s judgment in evaluating proposals or in its determination of the relative merit of competing proposals, without more, does not establish that the evaluation was unreasonable. *Veterans Evaluation Servs., Inc. et al.*, B-412940 *et al.*, July 13, 2016, 2016 CPD ¶ 185 at 8-9.

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<sup>4</sup> The value of the task order is \$44 million and is therefore within our jurisdiction to review protests related to the issuance of orders exceeding \$35 million under multiple-award IDIQ contracts issued under the authority of title 10 of the United States Code. 10 U.S.C. § 3406(f)(1)(B).

<sup>5</sup> Although we do not address all of the protester’s arguments in this decision, we have considered all of them and any not directly addressed in this decision are without merit.

## Organizational Experience

OSC argues that the agency unreasonably assessed its proposal with a significant weakness under key area 1 of the organizational experience factor--hiring and retaining engineering professionals--for failing to demonstrate the ability to hire and retain cybersecurity and infrastructure engineering professionals. Specifically, OSC argues the agency ignored language in its proposal. Protest at 11. The protester also asserts that the agency improperly determined that one of OSC's contract references was not relevant to key area 1. The protester further asserts that in conducting its evaluation, the agency improperly applied an unstated evaluation criterion. *Id.* at 13. As discussed below, we find none of the protester's arguments provides a basis to sustain the protest.

As noted above, under the organizational experience factor, the agency was to evaluate each offeror's experience related to five key areas. Of relevance here, key area 1 was experience "in hiring and retaining engineering professionals, specifically Information Systems, Network, Infrastructure, and Cybersecurity engineering, in the Colorado Springs, CO area."<sup>6</sup> TORFP at 62. The TORFP specified that offerors must cite at least one reference for work performed by the prime offeror, no more than one reference per subcontractor, and no more than three references total. *Id.* For each cited reference, the solicitation required offerors to submit a reference information sheet in which the offeror would provide a summary description of the contract work, including an explanation of the relevance of each cited reference with respect to one or more of the key areas. *Id.* The agency was to evaluate the breadth, depth and relevance of an offeror's cited organizational experience in the key areas since July 1, 2019. *Id.* at 69. The solicitation made clear that the agency was "not bound by an offeror's opinion of the relevance of its organizational experience." *Id.* at 62.

In evaluating OSC's proposal under the organizational experience factor, the agency assessed a significant strength for the enterprise server key area, a significant strength for the enterprise system management key area, a significant strength for the virtual desktop infrastructure key area, a strength for the consolidated infrastructure administration key area, and a significant weakness for the hiring and retaining engineering professionals key area, resulting in an overall rating of good for the organizational experience factor. AR, Tab 7, BCM at 41; AR, Tab 8, SSEB Report at 13.

The agency determined that OSC's proposal provided one reference relevant to key area 1; the reference was for North American Aerospace Defense (NORAD)/United States Northern Command (NORTHCOM) information technology (IT) Network Operations and Maintenance Support (N2NOMS)--a contract performed by [DELETED], a proposed subcontractor. AR, Tab 8, SSEB Report at 11. This relevant reference

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<sup>6</sup> The other key areas of experience related to enterprise server support, enterprise system management support, virtual desktop infrastructure, and consolidated infrastructure administration. TORFP at 62.

stated that in “support of the N2NOMS contract, [DELETED] has hired 32 IT professionals including systems engineers, systems administrators, network engineers, network administrators, systems architects, database administrators, data center technicians, change managers, and service desk managers.” *Id.* (citing AR, Tab 9, OSC Proposal at 13-14). The reference further stated that, “[i]n support of the long-term task and the project based additional work, [DELETED] has averaged an 18-month tenure on all program hires, and our long-term hires have been in place for over three years.” AR, Tab 9, OSC Proposal at 14; Tab 8, SSEB Report at 11.

In evaluating OSC’s proposal, the agency assessed a significant weakness based on two identified flaws. First, the agency found that although information systems and network engineers were explicitly identified in the N2NOMS contract, infrastructure or cybersecurity engineers were not, meaning that OSC had only partially shown experience hiring engineering professionals in Colorado Springs, Colorado, under the N2NOMS contract. AR, Tab 7, BCM at 41. Second, the agency found that “[i]n addition, [DELETED] hired 32 contractors throughout this contract (11/26/2019-11/25/2024) in Colorado Springs but maintains an average of only 13-15 full-time equivalents (p. 13) over the contract’s lifespan.” *Id.* The agency concluded that “[t]his does not adequately demonstrate [OSC’s] ability to retain the needed engineering talent.” *Id.* In making this determination, the agency noted that “[t]he ability to hire AND retain technical engineering talent in the Colorado Springs area is crucial for the successful performance of this [U.S. Space Command] requirement.” *Id.*

The protester disagrees with the agency’s evaluation, arguing that the agency disregarded or misconstrued the proposal’s description of [DELETED]’s experience retaining professionals under the N2NOMS contract when assigning the significant weakness. Protest at 11-13. OSC maintains that because its proposal indicated the hiring of 32 IT professionals, but an average of only 13-15 full time equivalents (FTEs) over the period of performance, the agency incorrectly assumed that a large number of the hires were not being retained. Rather, per the protester, the clear language of OSC’s proposal should have led the agency to determine that the disparity between the two numbers is attributable to the fact that a number of the 32 hires were short term employees hired to meet surge requirements.

In support of its argument, OSC points to the following description in its proposal of its subcontractor’s recruitment and retention experience under the N2NOMS contract:

[DELETED] averages 13-15 FTEs on an ongoing basis over the life of the contract and has also provided additional head count and support for project-based surge and specialized resources for implementations and testing of new systems or technologies. Over the life of the contract, we have hired 32 contractors to support this effort.

Protest at 11 (citing AR, Tab 9, OSC Proposal at 13).

OSC asserts that this language in its proposal meant that “the contract requires [DELETED] to hire and retain a permanent staff the size of 13-15 FTEs, which the

subcontractor fulfilled.” Protest at 11-12. The protester further asserts that “[i]n addition to this regular workforce, to support ‘project-based surge and specialized resources for implementation and testing of new systems or technologies,’” its proposal explained that “[DELETED] ‘also provided additional head count.’” Protest at 12 (citing AR, Tab 9, OSC Proposal at 11). From this, OSC argues that its proposal clearly demonstrated that [DELETED] hired a total of 32 IT professionals that were a mix of long-term and surge employees. *Id.* at 12. The agency responds that OSC’s proposal lacked clear and definitive retention information necessary to adequately demonstrate their ability to retain the needed engineering talent. COS/MOL at 7.

Based on our review, we find nothing unreasonable regarding the agency’s evaluation. The record shows that OSC’s proposal stated that “in support of the N2NOMS contract, [DELETED] has hired 32 IT professionals[.]” AR, Tab 9, OSC Proposal at 13. It also stated that [DELETED] maintains on average “13-15 FTEs on an ongoing basis over the life of the contract.” *Id.* Contrary to OSC’s argument, the proposal does not provide a “clear representation about [DELETED]’ staff retention experience under the N2NOMS contract.” Protest at 11. As the agency explains in response to the protest, OSC’s proposal did not connect the delta between overall number of staff hired for the contract and the average “ongoing” FTEs to surge requirements, as OSC argues in the protest. Protest at 11; COS/MOL at 6. Specifically, although OSC’s proposal also states that [DELETED] “provided additional head count and support for project-based surge,” the proposal never states that any of the “hired 32 IT professionals,” of which [DELETED] retained only “13-15 FTES on an ongoing basis over the life of the contract,” were surge employees. AR, Tab 9, OSC Proposal at 13. It is an offeror’s responsibility to submit a well-written proposal, with adequately detailed information, which clearly demonstrates compliance with the solicitation requirements and allows for a meaningful review by the procuring agency. *Tribalco, LLC*, B-421837.3, Feb. 5, 2024, 2024 CPD ¶ 49 at 6. Here, to the extent OSC wanted the agency to know that the difference between the 32 hired employees and the 13-15 average FTEs is due to roughly 17 of the hired employees being surge support, then it was incumbent upon OSC to adequately explain this in its proposal. OSC’s proposal failed to do so. As such, we find nothing unreasonable regarding the agency’s evaluation.<sup>7</sup> The protest ground is denied.

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<sup>7</sup> In a supplemental protest, OSC also claims the agency disparately evaluated the offerors’ stated retention rates. Comments & Supp. Protest at 16-19. According to OSC, the agency’s comparison of OSC’s and SRC’s retention rates “cannot be fair” because the agency accepted SRC’s stated 82.1 percent retention rate without questioning how it was calculated, but arbitrarily calculated OSC’s retention rate based on the assumption that [DELETED] hired 32 IT professionals but only retained 13-15 of them on the N2NOMS contract. *Id.* at 17. While OSC contends that this argument is based on the agency’s comparison of retention rates in the Business Clearance Memorandum, *see id.*, the agency provided OSC with the exact same information in the debriefing. *Compare* AR, Tab 7, BCM at 40-42, *with* AR, Tab 3, OSC Debrief at 49. As such, OSC was required to raise this argument within ten days of the debriefing. 4 C.F.R. § 21.2(a); Supp. COS/MOL at 4-5. Because OSC first presented this

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## Unstated Evaluation Criterion

OSC also asserts that the agency applied an unstated evaluation criterion under organizational experience key area 1 when highlighting that its proposal's description of the N2NOMS contract does not reflect experience hiring infrastructure or cybersecurity engineers. Protest at 13-16. This argument stems from the agency's answer to one of OSC's debriefing questions regarding the key area 1 evaluation wherein the agency stated that there was insufficient detail in OSC's proposal regarding the program hires or long-term hires, for example, identification of the "labor categories for these 'hires.'" AR, Tab 4, Debriefing Answers at 3. OSC asserts there was no evaluation criterion for this key area that required identification of labor categories with respect to hiring and retention, and therefore, to the extent that OSC's evaluation was based on the failure of OSC's proposal to provide "labor categories" for the 32 hires, it reflects an unstated evaluation criterion. Protest at 13.

The agency responds that, in its answer to the debriefing question, the agency was "merely trying to explain to OSC what type of information may have assisted in making the information it did provide more meaningful for evaluation." COS/MOL at 7-8. In this regard, the agency explains that it did not assess the weakness based on the failure of OSC's proposal to include labor categories, but rather, that the identified flaw was based on the failure of OSC's proposal to provide any information regarding the retention of infrastructure or cybersecurity engineering talent as required by the solicitation. *Id.* at 7.

Based on our review, we find that the agency's evaluation was not based on an unstated evaluation criterion. The TORFP expressly required offerors to demonstrate experience hiring and retaining specific engineering positions relevant to the work to be performed in the Colorado Springs area, specifically including infrastructure and cybersecurity engineering positions. TORFP at 62. As noted above, the agency identified a flaw because OSC's proposal failed to demonstrate that [DELETED] had experience hiring and retaining infrastructure engineers and cybersecurity engineers under the N2NOMS contract. While the protester alleges that the agency improperly assessed a flaw to its proposal for failing to identify labor categories for the 32 hires, the protester has failed to demonstrate, and there is no indication in the evaluation record, that the agency evaluated or expected offerors to provide information regarding labor categories. The agency's evaluation was consistent with the solicitation and reasonable. Accordingly, this protest ground is denied.

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argument as a supplemental protest on March 3, 2025, nearly two months after the debriefing, the argument is dismissed as untimely.

## Relevance of Reference

As noted above, relevant to the hiring and retaining engineering professionals key area, the agency determined that OSC's proposal provided one relevant reference for its subcontractor, [DELETED]. AR, Tab 8, SSEB Report at 11. OSC argues the agency unreasonably found not relevant its second reference, which was for Information Technology Infrastructure Support 3 (ITIS3) for the U.S. Army, Human Resources Command (HRC) at Fort Knox, Kentucky and Indianapolis, Indiana. Protest at 16-17.

The solicitation provided clear requirements regarding what experience the agency was to evaluate under the organizational experience factor in each key area and the relevant timeframe for such experience. TORFP at 62. The solicitation required offerors to "indicate the breadth, depth and relevance of your organizational experience since 01 July 2019" and, for key area 1, to demonstrate "[e]xperience in hiring and retaining engineering professionals, specifically Information Systems, Network, Infrastructure, and Cybersecurity engineering, in the Colorado Springs, CO area." *Id.* Accordingly, the solicitation expressly identified the type of engineering positions and performance location that would be considered relevant to key area 1.

When evaluating OSC's proposal against these criteria, the agency determined that OSC's HRC contract was not relevant to key area 1 because the place of performance was Fort Knox, Kentucky, and Indianapolis, Indiana, whereas the contract awarded under the solicitation here will be performed in the Colorado Springs area. AR, Tab 8, SSEB Report at 11.

OSC argues that this finding reflects an unstated evaluation criterion because "[t]here is no mention in the [s]olicitation that the recruitment and retention experience has to be explicitly for in-person staff in the Colorado Springs area."<sup>8</sup> Protest at 18. OSC further maintains that the HRC contract was relevant because even though the contract was not performed in Colorado Springs, "some" staff for unidentified positions were recruited

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<sup>8</sup> In its supplemental protest, OSC also contends that the agency's evaluation "gives rise to a latent ambiguity" because the solicitation did not specifically require experience hiring in-person IT professionals, and it was reasonable for OSC to believe hiring remote workers would be relevant. Comments & Supp. Protest at 16. In response, the agency argues that OSC's latent ambiguity argument relies "on the same facts that OSC was aware of when it made its initial unstated evaluation criteria argument in its protest." Supp. COS/MOL at 2-3. That is, both OSC's unstated evaluation criteria argument and its latent ambiguity argument are based on the agency finding the HRC contract not relevant because its place of performance was not the Colorado Springs area--a finding of which OSC was made aware in its debriefing. AR, Tab 3, OSC Debrief at 3. Accordingly, to be timely, OSC would have needed to raise its latent ambiguity argument in its initial protest. 4 C.F.R. § 21.2(a)(2). Because OSC did not make this argument until it submitted its comments 49 days after the agency responded to OSC's debriefing questions, this argument is dismissed as untimely.



from the area and worked remotely from Colorado Springs. See *id.* at 17. In support of its position, OSC quotes two lines from its proposal:

OSC Edge staffs the HRC ITIS3 contract with engineering professionals.  
Our staff is a combination of onsite and remote and we do have staff in the Colorado Springs area to include key personnel.

*Id.* (quoting AR, Tab 9, OSC Proposal at 7).

The agency maintains that “hiring and retention in Colorado Springs for a contract with a place of performance on-site logically encompasses looking at an offeror’s ability to hire and retain in that capacity.” COS/MOL at 9. In this regard, the agency further explains in response to the protest that “[t]he capacity to hire and retain engineering professionals, specifically Information Systems, Network, Infrastructure, and Cybersecurity engineering, in the Colorado Springs, CO area for an onsite requirement is not an equivalent to the capacity to hire and retain for telework in Colorado Springs.” *Id.*

Based on our review, we find nothing unreasonable regarding the agency’s evaluation. While the protester contends that the solicitation evaluation criteria for hiring and retaining engineering professionals did not require demonstration of recruitment and retention experience explicitly for in-person staff in the Colorado Springs area, we do not find that the agency’s determination that the HRC contract was not relevant on this basis was improper. In evaluating a proposal, an agency properly may take into account specific, albeit not expressly identified, matters that are logically encompassed by or related to the stated evaluation criteria. *Preferred Sys. Sols.*, B-291750, Feb. 24, 2003, 2003 CPD ¶ 56 at 2.

The record shows that while OSC’s reference demonstrated the capacity to hire and retain staff in Colorado Springs who were willing to telework, it failed to demonstrate the ability to hire and retain staff in Colorado Springs for an onsite assignment. AR, Tab 9, OSC Proposal at 7. Because an offeror’s ability to hire and retain staff to work on-site in Colorado Springs is logically encompassed within the evaluation criteria, which expressly identify the performance location that would be considered relevant to key area 1, it was reasonable for the agency to find that OSC’s HRC reference was not relevant for failing to demonstrate the ability to hire and retain staff on-site in Colorado Springs. TORFP at 62. As such, we find that the agency’s evaluation—including consideration of an offeror’s ability to demonstrate hiring and retention for on-site work in the Colorado Springs area in assessing relevance—is not based on an unstated evaluation criterion. While the protester may disagree with the agency’s assessment of relevance for its HRC reference, such disagreement, without more, is insufficient to establish that the agency’s evaluation was unreasonable. *FreeAlliance.com, LLC*, B-414531, June 19, 2017, 2017 CPD ¶ 191 at 5. As such, this protest ground is denied.

## Awardee's Organizational Experience References

The solicitation specified that offerors could provide “no more than three references total” in support of their organizational experience. TORFP at 62. One of the awardee's references was for its C2 Mission Services (C2 Cyber) task order No. N6600123F0062 under SRC's Naval Information Warfare Center Pacific IDIQ contract. AR, Tab 11, SRC Proposal at 3. OSC argues that the agency's evaluation of SRC's C2 Cyber reference was unreasonable because the evaluation noted that SRC started hiring IT professionals for the task order two years before the task order began in November 2022. Comments & Supp. Protest at 32-33. OSC claims that the agency improperly credited SRC for hiring and retention experience that took place before the C2 Cyber task order began--essentially asserting that SRC attempted to bootstrap other efforts external to the C2 Cyber task order to its C2 Cyber reference, thereby allowing SRC to provide more than the three references allowed by the solicitation. *Id.* at 33-36.

As noted previously, the TORFP defined the hiring and retaining engineering professionals key area as recent (since July 1, 2019) “[e]xperience in hiring and retaining engineering professionals, specifically Information Systems, Network, Infrastructure, and Cybersecurity engineering, in the Colorado Springs, CO area.” TORFP at 62. In SRC's reference for the C2 Cyber task order, SRC cites its “support[ ] [for] the North American Aerospace Defense Command (NORAD) and the United States Northern Command (USNORTHCOM) (N-NC) Cyberspace Operations Directorate (J6) Mission Systems Support Team since November 2020.” AR, Tab 11, SRC Proposal at 4.

In addition, SRC's proposal states that it has also “supported the United States Space Command (USSPACECOM) J6 Directorate's Consolidated Space Operations Facility Team (J6X) and J6 Cyber (J6C) since February 2021, on [C2 Cyber] [t]ask [o]rder (TO) N6600123F0062.” *Id.* In this regard, SRC notes that “SRC has teamed with [DELETED] and [DELETED] to provide the Government with the ultimate combination of flexibility, technical expertise, and tailored staffing in Colorado Springs.” *Id.* Specifically, SRC's proposal states that, in order to “overcome the challenges of staffing in the competitive and dynamic [IT] market in Colorado Springs for the Department of Defense [(DOD)],” it has, “[s]ince November 2020, [ ] hired 35 IT professionals in the Colorado Springs area, 27 of which are specialized in Information Systems (IS), Network, Infrastructure, and Cybersecurity engineering.” *Id.* SRC also states that, for this task order, it “successfully staffed six uniquely qualified Full-Time Equivalent (FTE) IS and Cybersecurity engineering positions--each with Top Secret (TS) security clearances and eligibility for Sensitive Compartmented Information (SCI) read-in.” *Id.*

In evaluating SRC's C2 Cyber reference, the agency found that “SRC has demonstrated successful staffing and retention in the Colorado Springs area for the Department of Defense”, noting that “[s]ince November 2020, SRC has hired 35 IT professionals in the Colorado Springs area, 27 of which are specialized in Information Systems (IS), Network, Infrastructure, and Cybersecurity engineering.” AR, Tab 8, SSEB Report at 7.

OSC disagrees with the agency's evaluation and asserts that SRC's proposal included "an indeterminate number of experience references," and that the agency unreasonably credited SRC for three years of performance by itself and other companies prior to the beginning of the C2 Cyber task order. Comments & Supp. Protest at 35. In response, the agency explains that SRC's proposal simply demonstrated how SRC hired and retained personnel for the C2 Cyber task order. Supp. COS/MOL at 7. The agency maintains that "[w]hether SRC hired these employees before or during the task order is immaterial" because "the fact [is] that [SRC was] able to hire and retain for performance under" the C2 Cyber task order. *Id.*

Based on our review, we find nothing unreasonable regarding the agency's evaluation. The record reflects that SRC's partnerships with the two [DELETED] companies and the hiring discussed in SRC's C2 Cyber reference was in support of the C2 Cyber task order. While OSC is correct that the task order in SRC's C2 Cyber reference did not begin until November 2022, this does not mean that hiring was not conducted in anticipation of the task order. Although the relevant task order did not begin until November 2022, SRC's proposal explains that it started recruiting in November 2020 in anticipation of the task order to "overcome the challenges of staffing in the competitive and dynamic [IT] market in Colorado Springs for the [DOD]." AR, Tab 11, SRC Proposal at 4. While OSC asserts that SRC should not have received credit for the hiring that occurred prior to the start of the task order because the hiring was not done under the task order, as previously noted, the solicitation required offerors to provide "organizational experience since 01 July 2019," and key area 1 required experience hiring and retaining certain engineering professional in the Colorado Springs area. TORFP at 62. The protester neither asserts nor cites to any requirement in the solicitation that specified that this hiring and retaining experience had to be obtained exclusively during a reference's period of performance to be relevant or a prohibition on hiring and retaining experience in anticipation of performing a reference contract. Supp. Comments at 5-12; TORFP at 62. To the extent OSC asserts that it was improper for the agency to have considered SRC's experience in this regard as relevant to SRC's C2 Cyber task order, the protester's disagreement with the agency's evaluation, without more, is insufficient to render the agency's evaluation unreasonable. This protest ground is denied.

## Key Personnel

OSC argues that the agency unreasonably assigned a weakness to its proposal under the key personnel factor for its proposed senior systems engineer. OSC also challenges the agency's evaluation of the qualifications of its proposed program manager, asserting that OSC's proposal merited a significant strength, rather than just a strength.

### Senior Systems Engineer

OSC argues that the agency's evaluation under the key personnel factor was unreasonable based on the assignment of a weakness for OSC's proposed senior

systems engineer. OSC alleges that the agency unreasonably assigned its proposal a weakness because it concluded that its proposed senior systems engineer did not meet two of the solicitation's seven desired experience areas for the position. Protest at 18-26. OSC contends that the agency's evaluation was improper because, in its view, the resume of its proposed senior systems engineer "readily meets or exceeds the [a]gency's evaluation criteria" and the agency either misread or rigidly read OSC's proposal. *Id.* at 18.

Under the key personnel factor, the TORFP identified eight categories of key personnel to be evaluated, including as pertinent here a senior systems engineer.<sup>9</sup> TORFP at 63-66. The solicitation provided qualifications for each key personnel category. *Id.* at 63, 65. For the senior systems engineer, the solicitation listed seven desired qualifications. *Id.* Relevant here, these desired qualifications included "[a]t least 5 years of hands-on professional experience as [a] Senior Systems Engineer for program/project of similar size and scope," and "3 years of experience as [a] Senior Systems Engineer supporting a DOD program of similar size and scope."<sup>10</sup> *Id.* at 65. The TORFP required offerors to provide a resume for each identified key person and the agency was to evaluate "the extent to which the offeror's proposed key personnel meet and exceed the desired qualifications." *Id.* at 70.

The resume included in OSC's proposal for its proposed senior systems engineer provided that the individual had "5+" years of professional experience: as a "Systems Engineer" for [DELETED] from January 2021 to Present (September 4, 2024); as a "Windows System Administrator/Engineer" for [DELETED] from August 2020 to January 2021; and as an "Information Security Engineer" for [DELETED] from October 2019 to October 2020. AR, Tab 9, OSC Proposal at 27-28.

In assigning OSC's proposal a weakness, the agency found that the proposed candidate did not meet the qualifications identified above for DOD experience and collective experience as a senior systems engineer. AR, Tab 8, SSEB Report at 46-47. In this regard, the agency noted that "[t]he desired collective ([DOD] or otherwise) experience requirement for the position is a least five (5) years of hands-on professional

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<sup>9</sup> Specifically, the TORFP identified the following key personnel categories: systems architect and information systems lead (KP1), network architect and network lead (KP2), onsite program manager (KP3), senior infrastructure engineer and infrastructure lead (KP4), senior cyber engineer and cyber lead (KP5), senior systems engineer (KP6), senior network engineer (KP7), and project manager (KP8). TORFP at 61-64.

<sup>10</sup> The TORFP also identified the following four additional qualifications/experience for the senior systems engineer: a bachelor's degree in engineering, computer science, or an IT related field; a TS level security clearance with the ability to obtain access to SCI; three years of hands-on professional experience with virtual desktop infrastructure (VDI); a certified professional (NCP) certification; and an information assurance technical/information assurance manager (IAT/IAM) certification, level II or greater. *Id.* at 61, 63.

experience as a Senior Systems Engineer for a program/project of similar size and scope.” *Id.* at 46. The agency explained that the “candidate’s Systems Engineer experience was with [DELETED] as a Windows System Administrator/Engineer from 08/2020-01/2021 and with [DELETED] as a Systems Engineer from 01/2021-Present.” *Id.* The agency found that the “number of years as a ‘Senior Systems Engineer’ cannot be adequately determined from the resume as no Senior-level positions were identified” and that “[t]his inexperience as a Senior Systems Engineer does not meet the desired [DOD] experience for the position.” *Id.* The agency also noted that if OSC’s proposed candidate “had Senior Systems Engineering experience and did not necessarily meet the desired timeframe, it would be viewed differently;” “[h]owever, not having the necessary experience as a Senior Systems Engineer AND with only four years as a Systems Engineer does not adequately meet the critical desired experience elements for this position.” *Id.* at 46-47.

The agency thus concluded that the failure to meet two of the seven desired qualifications increased the risk of unsuccessful performance and warranted a weakness. *Id.* The agency explained that the lack of required experience increased risk because “having a Systems Engineer filling a Senior Systems Engineer position . . . will likely require more government oversight and involvement in day-to-day decision making and tasks” and “impact OSC Edge’s ability to meet project deadlines” in that the individuals filling these senior level positions “are expected to lead and manage their own teams within their functional area.” *Id.* at 49.

In addition, in response to the protest, the agency explains that it “does not dispute that the proposed engineer did the work as described in the proposal,” but rather that “the nature or type of work performed” by OSC’s proposed senior systems engineer as described in the resume says nothing about whether the work was done at a senior level. COS/MOL at 10. In this regard, the agency notes that a “senior engineer is a more experienced engineer with significantly more responsibility often leading projects, handling complex problems independently, and mentoring junior engineers.” *Id.* The agency explains that OSC’s proposed candidate’s resume “did not call out any higher level technical expertise or leadership experience.” *Id.* The agency states that “OSC’s proposal identifies his current position as a System Engineer only” and that “the prior work experiences also identify him as a Systems Engineer vice a Senior Systems Engineer.” *Id.* The agency explains that “[h]aving done the work under the guidance of a Senior Systems Engineer is not the same as performing and leading as a Senior System Engineer” and that the “work as described years of experience does not de facto lend itself to a conclusion [that the candidate’s] engineering experience was at the ‘Senior’ level.” *Id.* In this regard, the agency explained in response to the protester’s debriefing questions that “the Government was unable to decipher if the proposed candidate was performing [the functions identified in the resume] as a [s]enior [s]ystems [e]ngineer, a [s]ystems [e]ngineer, or under the direction of a [s]enior [s]ystems [e]ngineer.” AR, Tab 4, Debriefing Response at 5.

The protester disagrees with the agency’s evaluation and maintains that the agency unreasonably assigned a weakness to its proposed senior systems engineer because

its evaluation improperly “focus[ed] on job titles alone” and “ignore[ed] [the candidate’s] qualifications and experiences on the senior level that was detailed in his resume.” Supp. Comments at 4, 26.

Based on our review we find nothing unreasonable regarding the agency’s evaluation. The record reflects that this key person’s resume described the candidate as a systems engineer rather than a senior systems engineer. AR, Tab 9, OSC Proposal at 27-28. The agency concluded, based on the language in the resume, that it could not determine the number of years of the individual’s experience as a senior systems engineer. AR, Tab 8, SSEB Report at 46. Offerors are responsible for drafting a well-written proposal that allows for meaningful review by the agency. *Abacus Tech. Corp.; SMS Data Products Grp., Inc.*, B-413421 *et al.*, Oct. 28, 2016, 2016 CPD ¶ 317 at 17. Here, OSC’s proposal did not reflect the information that OSC apparently intended to convey. In assigning OSC a weakness for this aspect of its proposal, the agency considered all of the proposed key individual’s experience and reasonably concluded that experience increased the risk of unsuccessful performance because his resume did not clearly indicate three years of experience as a senior systems engineer supporting DOD and five years of overall experience as a senior systems engineer. Although OSC may disagree with the agency’s substantive assessment that OSC did not clearly demonstrate the required years of senior level experience, its disagreement with the agency’s judgment, without more, is insufficient to establish that the agency acted unreasonably.

OSC also argues that it was unreasonable for the agency to assign a weakness to its proposed senior systems engineer because the TORFP referred to the qualifications as desired, rather than required. Protest at 26. We note, however, that the TORFP provided that the agency’s evaluation of proposed key personnel would “consider the extent to which the offeror’s proposed key personnel meet and exceed the desired qualifications,” TORFP at 70, and as discussed above, we find reasonable the agency’s evaluation that the failure of OSC’s proposal to demonstrate that its proposed senior systems engineer had the desired years of experience as a senior systems engineer increases the risk of unsuccessful performance because it will likely require more government oversight and involvement in day-to-day decision making and tasks and may impact OSC’s ability to meet project deadlines. Accordingly, it was reasonable for the agency to label its concern regarding OSC’s ability to meet the desired qualifications as a weakness. This protest ground is denied.

### Project Manager

OSC also argues that the agency acted unreasonably when it assigned a strength versus a significant strength to its proposed project manager. Protest at 27. Specifically, OSC asserts that rather than assessing an overall strength for its proposed project manager based on the finding that the project manager exceeded two of the desired qualifications, the agency should have found that the project manager exceeded at least five of the six desired qualifications for that key personnel category and assigned a significant strength. Based on our review of the record, we find nothing

unreasonable regarding the agency's assessment of a strength, rather than a significant strength, for OSC's proposed project manager. However, even if the agency erred in this regard, the protester has failed to show that it was competitively prejudiced by any such error.

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. *CACI, Inc.-Federal; General Dynamics One Source, LLC*, B-413860.4 *et al.*, Jan. 5, 2018, 2018 CPD ¶ 17 at 26-27.

Here, even if the agency erred its evaluation and should have found OSC's proposed project manager to exceed five of the six desired requirements for the position, leading to a significant strength, rather than a strength, OSC has not demonstrated that, but for this error, its proposal, which was lower rated than SRC's under both the organizational experience and key personnel factors and which had only a slightly lower evaluated cost, would have had a substantial chance of receiving the award. Accordingly, we conclude that the protester has failed to demonstrate that it was prejudiced by the agency's assignment of a strength instead of a significant strength and find no basis to sustain the protest.

#### Best-Value Determination

Finally, OSC argues that because the underlying evaluation was flawed, the agency's best-value determination was unreasonable. This allegation is based on the protester's challenges to the agency's evaluation, all of which we have denied as set forth above. Thus, we dismiss this allegation because the allegations do not establish an independent basis of protest. *Advanced Alliant Solutions Team, LLC*, B-417334, Apr. 10, 2019, 2019 CPD ¶ 144 at 6.

The protest is denied.

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