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Decision

Matter of: Alethix LLC

File: B-420920.3; B-420920.4

Date: December 15, 2022

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Azine Farzami, Esq., Department of Agriculture, for the agency.
Samantha S. Lee, Esq., and Peter H. Tran, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

1. Protests challenging agency's experience and technical evaluations are denied where protester has not demonstrated that the agency's evaluation was unreasonable or inconsistent with the terms of the solicitation.
 2. Protest that the agency failed to perform a meaningful best-value tradeoff is denied where the record shows that the agency's tradeoff decision was reasonable and adequately documented.
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DECISION

Alethix LLC, of Fairfax, Virginia, protests the U.S. Department of Agriculture's (USDA) issuance of an order to Technology Solutions Provider, Inc. (TSPi), of Reston, Virginia, under request for quotations (RFQ) No. 12314422Q0062 for software development support services. Alethix argues that the agency miscalculated quotations and made an unreasonable source selection decision.

We deny the protest.

BACKGROUND

The RFQ, issued on April 22, 2022, under the federal supply schedule (FSS) procedures of Federal Acquisition Regulation (FAR) subpart 8.4, was limited to vendors

holding farm production and conservation blanket purchase agreements. Agency Report (AR), Tab 6, RFQ at 15-16.¹ In general terms, the solicitation sought quotations for development, modernization, enhancement, and maintenance information technology support services for USDA's Farm Production and Conservation Business Center and Natural Resources Conservation Service. *Id.* at 1, 13-15; AR, Tab 3, RFQ attach. 3, Performance Work Statement (PWS) at 5-6. As relevant here, the contractor was required to provide--and support--systems "with significant financial business rules that need to be configurable to accommodate new and emerging Farm Bill program needs."² Contracting Officer's Statement (COS) at 1. The agency refers to this work as the "Money" order.³ *Id.*

The RFQ contemplated the issuance of a single fixed-price order with a 6-month base period and four 1-year option periods. RFQ at 4, 14. The solicitation provided for a two-phase, best-value tradeoff source selection process, using the following evaluation factors: prior experience; technical solution; and price. *Id.* at 23-25. The prior experience factor was more important than the technical solution factor and, when combined, the non-price factors were more important than price. *Id.* at 23. In phase 1, the agency would only evaluate prior experience. *Id.* at 23-24. After the phase 1 evaluation, the agency would issue an advisory notification to each vendor, identifying the "most capable" vendors that were invited to proceed to oral presentations and submission of phase 2 quotations.⁴ *Id.* at 18. In phase 2, the agency would evaluate quotations under the technical solution and price factors. *Id.* at 18, 23-24. The RFQ advised that, for each non-price factor, the agency would "consider the benefits and risks associated with the [vendor's] proposed approaches to arrive at a confidence assessment of the [vendor's] likelihood of successfully performing the work and meeting the requirements of the RFQ." *Id.* at 23. The available confidence ratings for the non-price factors were: high confidence, some confidence, or low confidence. *Id.* For price, quotations would be evaluated to determine whether they were fair and reasonable. *Id.* at 24.

¹ Citations to the RFQ are to the final amended version included at Tab 6 of the agency report. All citations to the record refer to the documents' Adobe PDF pagination.

² "The farm bill is an omnibus, multiyear law that governs an array of agricultural and food programs." Library of Congress, Congressional Research Service, "Farm Bill Primer: What Is the Farm Bill?," No. IF12047, June 28, 2022. The current version of the farm bill is the Agricultural Improvement Act of 2018. Pub. L. No. 115-334, 132 Stat. 4490.

³ The RFQ sought quotations for three call orders (referred to as "Metis," "Money," and "Olympia"); only the Money order is at issue in this protest. RFQ at 16; Protest at 1.

⁴ The agency refers to this process as an "advisory down-select." RFQ at 18. Vendors that were not found to be among the most capable, would be advised that "they are unlikely to be viable competitors, along with the general basis for that opinion." *Id.* The advisement was a recommendation only, and vendors were permitted to choose whether to proceed to phase 2 of the evaluation, regardless of the nature of the agency's advisory notice.

Six vendors submitted phase 1 quotations; Alethix and TSPi were among the four that were advised to proceed to phase 2. AR, Tab 30, Award Decision at 2-3. The table below summarizes the agency’s evaluation of Alethix’s and TSPi’s quotations for both phases:

	Alethix	TSPi
PRIOR EXPERIENCE	Some Confidence	Some Confidence
TECHNICAL SOLUTION	Some Confidence	Some Confidence
PRICE	\$96,888,445	\$82,378,602

Id. at 3. On July 15, the agency issued the call order to TSPi. COS at 9-10. Alethix protested the agency’s source selection decision with our Office. *Alethix LLC*, B-420920; B-420920.2, Aug. 12, 2022 (unpublished decision). Based on the agency’s notice that it intended to take corrective action to perform additional price analysis and make a new best-value tradeoff determination and award decision, we dismissed the protest as academic on August 12. *Id.*

Following our dismissal, the agency conducted the additional price analysis and made a new source selection decision. COS at 10-11. The contracting officer, who also served as the source selection authority (SSA), concurred with the evaluation panel’s assessment of quotations, and concluded that TSPi’s lower-priced quotation provided the best value. AR, Tab 30, Award Decision at 8. On September 8, USDA again issued the call order to TSPi. COS at 11. This protest followed.

DISCUSSION

Alethix contends that USDA unreasonably evaluated the protester’s quotation under the prior experience and technical approach evaluation factors. Protest at 8-18; Comments & Supp. Protest at 4-26; Supp. Comments at 1-6. Alethix also asserts that the agency’s award decision was unreasonable because it was made based solely on adjectival ratings instead of a meaningful best-value tradeoff as required by the solicitation.⁵ Protest at 15-18; Comments & Supp. Protest at 22-26.

⁵ Alethix also alleged that the agency unreasonably failed to consider quotations and oral presentations during its corrective action. Protest at 24-25. The agency substantively responded to the allegation in the agency report, asserting that the scope and nature of its corrective action was reasonable. Memorandum of Law (MOL) at 27-29. In its comments to the agency report, Alethix neither rebutted nor responded to the agency’s response. As such, we find the allegation to be abandoned and will not consider it further. 4 C.F.R. § 21.3(i)(3); *Medical Staffing Sols. USA*, B-415571, B-415571.2, Dec. 13, 2017, 2017 CPD ¶ 384 at 3 (dismissing allegation as abandoned where protester “fails to rebut the agency’s argument in its comments”).

In filing and pursuing this protest, Alethix has made arguments that are in addition to, or variations of, those discussed below. We have considered all of the protester's arguments and, while we do not address them all, find that none provide any basis on which to sustain the protest.

Prior Experience

Alethix protests the evaluation of its quotation under the prior experience factor, asserting that it should have earned the best possible rating of "high confidence." Protest at 8-15. Citing its experience, including as an incumbent provider of the services, the protester contests every agency critique under this factor. *Id.*; Comments & Supp. Protest at 4-22. We have reviewed all of the protester's challenges to the agency's evaluation under this factor and conclude that none provides a basis to sustain the protest. Below, we address a representative example of the various challenges raised by Alethix.

For the prior experience evaluation factor, vendors were directed to respond to questions and prompts from a worksheet provided with RFQ. RFQ at 17. The worksheet advised that responses should focus on vendors' "strongest experiences" from the last three years. AR, Tab 3, RFQ attach. 6, Prior Experience Worksheet at 1. As noted above, Alethix received a rating of "Some Confidence" for this factor. AR, Tab 13, Phase I Evaluation at 6. The evaluators explained that Alethix's responses to the worksheet summarized the firm's experience broadly, "without demonstrating degree of complexity and without demonstrating clear successful delivery and results." *Id.* at 12. The evaluators then provided multiple examples of details the agency found lacking across Alethix's worksheet responses. *Id.*

For example, the first prompt of the prior experience worksheet requested a description of experiences working with "financial, contracting, agreement, and accounting" related software products. *Id.* at 8. The evaluators recognized that Alethix identified relevant experience from the incumbent contract in this area, but also noted that Alethix's quotation did not communicate the degree of complexity of its work under the incumbent contract, and that Alethix's experience with other agencies was not similar in scope, scale, or level of complexity to the current requirements. *Id.*

Alethix disagrees with the agency's assessment, arguing that the firm's submission (1) did demonstrate the degree of complexity of its work with the identified software related products; and (2) clearly showed "experience in successful delivery" and creating results. Protest at 9-12. The protester contends that the agency's conclusions are "especially baffling" given that Alethix's quotation relies on its work for the agency under the incumbent contract. *Id.* at 10, 12. According to Alethix, even if its quotation had not "plainly demonstrated" the complexity and successful delivery of work, the RFQ did not require such a discussion as part of the evaluation of prior experience. *Id.* at 9-12. Alethix argues that, to the extent the agency applied such standards to the evaluation, the agency improperly applied unstated evaluation criteria. *Id.*

Although Alethix insists that the agency did not respond substantively to its protest arguments, Comments & Supp. Protest at 7-8, the agency submitted a contracting officer's statement and memorandum of law that offered a response to each of Alethix's arguments. The agency responds that it was proper to consider the complexity and successful delivery of work as part of the evaluation of prior experience, and that its assessment of Alethix's submission was reasonable. MOL at 16-17.

As an initial matter, we do not find--as Alethix argues--that USDA applied unstated evaluation criteria when the agency assessed Alethix's experience for level of complexity and results. The agency reasonably considered those elements as part of its confidence assessment for the prior experience evaluation factor. Although a solicitation must inform vendors of the basis for evaluation by identifying the evaluation factors and their relative importance, a solicitation need not specifically identify each and every element an agency considers during an evaluation where such elements are intrinsic to, or reasonably subsumed within, the stated evaluation factors. *Leader Commc'ns., Inc.*, B-412819, B-412819.2, June 13, 2016, 2016 CPD ¶197 at 5. Here, assessing level of complexity, in our view, is intrinsic to an evaluation of prior experience for relevance. Therefore, the agency's consideration of such as part of its assessment of vendor's experience is neither inappropriate nor is it the application of an unstated evaluation criterion. See, e.g., *Straughan Env't, Inc.*, B-411650 *et al.*, Sept. 18, 2015, 2015 CPD ¶ 287 at 7-8 (finding the agency's consideration of key personnel's relevant experience was logically encompassed within stated evaluation criteria).

We also find that considering whether prior experience included successful delivery is logically encompassed by the evaluation criteria. RFQ at 23. For the prior experience factor, the RFQ advised that the agency would "assess its level of confidence that the vendor understands the requirement and will be successful in performing the [order]," based on the vendor's responses to the prior experience worksheet.⁶ *Id.* at 24. In other words, the agency would consider whether vendors had experience directly related to the work under the solicitation for development and delivery of software solutions, rather than, for example, more theoretical work. See *FujiFilm Med. Sys. USA, Inc.*, B-400733.9, B-400733.10, Dec. 1, 2009, 2009 CPD ¶ 244 at 5 ("[I]t is always reasonable for an agency to consider whether an offeror has specific experience directly related to the work to be performed under the solicitation, even if such experience is not explicitly called for in the solicitation.").

⁶ For example, a rating of "Some Confidence" was defined as: "The Government has *some confidence* the vendor understands the requirement, proposes a sound approach, and will be successful in performing the contract with *some* Government intervention. RFQ at 23. Similarly, a rating of "High Confidence" was appropriate when: "The Government has *high confidence* the vendor understands the requirement, proposes a sound approach, and will be successful in performing the contract with *little or no* Government intervention." *Id.*

With respect to the agency's conclusions that Alethix's quotation did not adequately detail its experiences working with financial, contracting, agreement, and accounting related software products, the record provides no basis to find that the evaluation was unreasonable or otherwise improper. An agency has broad discretion when evaluating vendors' experience to determine whether a particular contract is relevant to the work procured under a solicitation, and the determination of the relative relevance of a vendor's performance history is primarily a matter within the agency's discretion. *Criterion Sys., Inc.*, B-416553, B-416553.2, Oct. 2, 2018, 2018 CPD ¶ 345 at 6; *United Facility Servs. Corp. d/b/a EASTCO Bldg. Servs.*, B-408749.2, Jan. 17, 2014, 2014 CPD ¶ 35 at 4. Where, as here, an agency conducts a competition under a solicitation issued to FSS vendors pursuant to FAR subpart 8.4, we will review the record only to ensure that the agency's evaluation of experience was reasonable and consistent with the terms of the solicitation and applicable laws and regulations. *Digital Sols., Inc.*, B-402067, Jan. 12, 2010, 2010 CPD ¶ 26 at 3-4; *DEI Consulting*, B-401258, July 13, 2009, 2009 CPD ¶ 151 at 2.

Here, Alethix's quotation referred to its development and maintenance work under the incumbent contract and generally to "tools" and "applications" under two other efforts. AR, Tab 9, Alethix Prior Experience at 4-5. The agency, in its evaluation, noted these descriptions, but observed that the descriptions were high level and did not specifically describe complexity or successful delivery. AR, Tab 13, Phase I Evaluation at 6. Although Alethix argues that the agency should have understood this information, because Alethix relied, in part, on referencing the incumbent effort, agencies, generally, are not required to consider extrinsic information in the evaluation of quotations. *Mainstream IP Sols.*, B-418722, July 14, 2020, 2020 CPD ¶ 284 at 4. Moreover, it is a vendor's responsibility to submit a well-written quotation, with adequately detailed information, which clearly demonstrates compliance with the solicitation requirements and allows a meaningful review by the procuring agency. *Axxeum, Inc.*, B-420013, B-420013.2, Oct. 29, 2021, 2021 CPD ¶ 354 at 5.

Although Alethix's arguments attempt to paint its quotation as demonstrating the firm's experience, comprehensively, our review of the record supports the reasonableness of the agency's conclusions. A protester's disagreement with the agency's judgment, by itself, is not sufficient to establish that an agency acted unreasonably. *Procentrix, Inc.*, B-414629, B-414629.2, Aug. 4, 2017, 2017 CPD ¶ 255 at 5. To the extent Alethix's contentions now attempt to more clearly demonstrate its prior experience, our review is limited to the protester's quotation, as submitted. *Creoal Consulting, LLC*, B-419460, B-419460.2, Mar. 4, 2021, 2021 CPD ¶ 148 at 7. Accordingly, we find the agency's conclusions to be reasonable, and find the protester's arguments to amount to no more than disagreement with the agency's evaluation findings.

Technical Solution

The protester also challenges the agency's evaluation of its quotation under the technical solution factor. Protest at 15-18. Alethix asserts that it should have received the highest possible confidence rating, arguing not only that it was unreasonable for the

agency to make any negative findings about Alethix's quotation, but that the agency should have identified additional benefits. *Id.* We have reviewed each of the protester's challenges to the evaluation of Alethix's quotation under this factor and conclude that none provides a basis to sustain the protest.

Under the technical solution evaluation factor, the agency held an oral presentation session for each vendor, requiring the vendor to respond to "challenge scenarios" provided by the agency. RFQ at 19. As part of the oral presentation, vendors were to address, "[a]t a minimum," the following: problem solving process; communication and collaboration with multiple vendors; management and communication strategy for working with business and product owners; and a recommended approach/solution to the specific scenario. *Id.* Vendors were also required to submit a written management plan (which included a staffing plan), as part of the evaluation of the technical solution factor. *Id.* at 20-21. One confidence rating would be assessed for this factor based on the evaluation of the oral presentation and the management plan submission. *Id.* at 23-24.

Documentation

Alethix first argues that the record of the agency's evaluation is insufficient, noting in particular that the agency did not record (or did not retain recordings of) oral presentations or individual evaluator notes on those presentations. Comments & Supp. Protest at 2. Alethix also complains that although the evaluators purportedly found "many strengths" in Alethix's oral presentation, the record does not identify what those strengths were. *Id.* at 26-27.

Generally, an agency's evaluation judgments must be documented in sufficient detail to show that they are reasonable. See, e.g., *Analytica, LLC*, B-418966, Nov. 9, 2020, 2020 CPD ¶ 365 at 7. At the same time, consistent with the objective of allowing for streamlined procurements under the FSS program, we have found that, unlike negotiated procurements under FAR part 15, FAR subpart 8.4 does not expressly require an agency to record or otherwise transcribe the content of the vendors' oral presentations. *Id.*; cf. *Checchi & Co. Consulting, Inc.*, B-285777, Oct. 10, 2000, 2001 CPD ¶ 132 at 6 (finding, for FAR part 15 procurements, agencies are required to maintain record of oral presentations).

Our review of the record here shows the documentation to be sufficient--albeit sparse--with respect to the agency's conclusions about the vendors' oral presentations. The technical evaluation report details particular aspects of the vendors' development strategies, work processes, and staffing approaches explained in the presentations, and which of those aspects, the evaluators concluded, represented benefits or risks in the quotations. See AR, Tab 22, Evaluation Panel Award Recommendation at 4-6, 13-14.

Indeed, the record here does not support Alethix's contention that the agency did not document the nature of the strengths identified in Alethix's approach. Describing Alethix's oral presentation, the evaluators explained, for example:

Alethix's presentation and answers to scenarios were sound in concept, demonstrated many strengths/knowledge/understanding of how to deliver SAFe [Scaled Agile Framework] development support for the Conservation Programs, Contracts, and Agreements Value Stream. Their responses featured and involved the right people, and their delivery was well-versed and organized.

Id. at 5. We therefore find no basis to sustain Alethix's protest alleging that the agency's evaluation was inadequately documented.

Assessment of Alethix's Quotation

Turning to the nature of the agency's evaluation, Alethix contests, for example, the agency's determination that the "main reason for not assigning a rating of high confidence is due to the repetitive use and [reliance] on corrective measures that are very reactive and demonstrating a dependency on government intervention." *Id.* Alethix argues that the agency could not reasonably express concern about a need for government intervention during performance because the agency here requires the use of the SAFe method, an agile software development approach which "by its nature, requires communication and flexibility (as Alethix proposed), and requires regular and transparent interactions between the Agile contractor and the Government customer for development purposes." Protest at 15-16. Alethix also contends that the agency improperly treated Alethix and TSPi differently by criticizing only Alethix for a need for government intervention when both vendors necessarily committed to relying on the RFQ's required SAFe methodology. Comments & Supp. Protest at 25.

USDA defends its evaluation of Alethix under the technical solution factor as reasonable, referring to and quoting the evaluators' contemporaneously documented concerns about Alethix's approach that served as the basis for the agency's assessment of a rating of some confidence. MOL at 17-19.

In reviewing a protest challenging an agency's technical evaluation, our Office will not reevaluate the quotations; rather, we will examine the record to determine whether the agency's evaluation conclusions were reasonable and consistent with the terms of the solicitation and applicable procurement laws and regulations. *OPTIMUS Corp.*, B-400777, Jan. 26, 2009, 2009 CPD ¶ 33 at 4. A protester's disagreement with the agency's judgment, without more, does not establish that an evaluation was unreasonable. *DEI Consulting, supra* at 2. In addition, it is a fundamental principle of federal procurement law that a contracting agency must treat all vendors equally and evaluate their quotations evenhandedly against the solicitation's requirements and evaluation criteria. *Creoal Consulting, LLC, supra* at 11. Where a protester alleges unequal treatment in a technical evaluation, it must show that the differences in ratings do not stem from differences between the vendors' quotations. *Systems Integration & Develop., LLC*, B-417858.6, B-417858.8 *et al.*, Nov. 2, 2020, 2020 CPD ¶ 376 at 7-8.

We see nothing objectionable in the agency's evaluation here. The agency did not criticize Alethix for relying on SAFe specifically or agile development generally; instead, the evaluators noted a concern that Alethix's particular approach to the methodology was "very heavy in process and meetings" and required high-level "leadership engagement" and an "above average amount of involvement from the government." AR Tab 22, Evaluation Panel Award Recommendation at 5. By contrast, the evaluators identified that TSPi's approach reflected "taking on responsibility." *Id.* at 13. Although Alethix disagrees that its approach would require anything more than the usual amount of interaction between contractor and government, it has not established that the agency's concerns were unreasonable.

Nor do we find compelling Alethix's argument that any quotation relying on the mandated SAFe methodology would necessarily be identical in approach. Based on our review of the record, we find that the agency has documented reasonable explanations demonstrating that differences in the evaluators' findings were based on meaningful differences between the quotations. *Id.* at 5, 13. Accordingly, we conclude that the differences in the agency's assessment of quotations here reasonably stem from differences in the quotations themselves and are not the product of disparate treatment. *See, e.g., InterOps, LLC*, B-416563, B-416563.2, Oct. 16, 2018, 2018 CPD ¶ 360 at 10-11 (denying protest alleging disparate treatment where the agency properly rated offerors differently based on their different proposed approaches to implementing similar agile software development approaches). As a result, we deny this protest ground.

Alethix also argues that the agency failed to recognize certain objective strengths in Alethix's quotation, specifically the advantages of: "using [DELETED] to reduce the meeting and dependency load" on agency personnel; providing high level of transparency to the stakeholders; and using [DELETED] to provide [DELETED]. Protest at 17-18. The agency responds specifically to each of the three alleged strengths, explaining that the first two were recognized by USDA--as evidenced by the evaluation record--and that Alethix has not explained why the third alleged strength should have been construed as advantageous, given the RFQ's requirements and the nature of the challenge scenarios. MOL at 19-21. For example, with respect to the proposed [DELETED], Alethix complains that the "record reflects absolutely no consideration of this valuable tool," characterizing the agency's response as unsupported *post hoc* arguments of agency counsel that should be disregarded as unreliable. Comments & Supp. Protest at 27-28.

As our Office has explained, an agency is not required to document all determinations of adequacy or explain why a quotation did not receive a strength for a particular item. *See Building Operations Support Servs., LLC*, B-407711, B-407711.2, Jan. 28, 2013, 2013 CPD ¶ 56 at 5. While Alethix may object to the evaluators' conclusion that no advantage was conferred by the proposed [DELETED], such disagreement, without more, however, is insufficient to demonstrate that the agency's judgment was unreasonable. *Id.* On the record here, we find unobjectionable the agency's decision not to assign a strength to the protester's proposal for offering a level of effort that the

agency reasonably concluded met, but did not exceed, the solicitation's requirements. See, e.g., *InterOps, LLC, supra* ("Agencies are also not required to assign strengths for aspects of proposals that only meet the requirements of the solicitation."). This allegation is also denied.

Best-Value Tradeoff

Finally, the protester challenges the agency's best-value tradeoff determination. The protester contends that the contemporaneous record is devoid of any comparative analysis, evidencing that the SSA failed to look beyond the adjectival ratings and made award to TSPi simply for its lower-priced quotation. Protest at 19; Comments & Supp. Protest at 28-29. The protester also argues that any reasonable comparison would have found Alethix's quotation technically superior to TSPi's. Protest at 19-24; Comments & Supp. Protest at 29-37.

The agency defends its best-value determination as reasonable and consistent with the RFQ. MOL at 21-26. According to USDA, the agency "carefully considered the aspects of each technical quotation that increased or decreased confidence, made a qualitative assessment of the written technical submissions, as well as oral responses to challenge scenarios, and documented the rationale for its confidence ratings in detail." *Id.* at 21. The agency contends it reasonably made award to TSPi based on this qualitative assessment and TSPi's lower price. *Id.* at 22-23.

Where, as here, a solicitation provides for issuance of an order on a best-value tradeoff basis, it is the function of the SSA to perform a price/technical tradeoff. *Alliant Enter. JV, LLC*, B-410352.5, B-410352.6, July 1, 2015, 2015 CPD ¶ 209 at 13. An agency has broad discretion in making a tradeoff between price and non-price factors, and the extent to which one may be sacrificed for the other is governed only by the test of rationality and consistency with the solicitation's stated evaluation criteria. *Id.* at 14. There is no need for extensive documentation of every consideration factored into a tradeoff decision. *Lockheed Martin Integrated Sys., Inc.*, B-408134.3, B-408134.5, July 3, 2013, 2013 CPD ¶ 169 at 10. Rather, the documentation need only be sufficient to establish that the agency was aware of the relative merits and costs of the competing quotations and that the source selection was reasonably based. *Id.*

Here, although Alethix complains that the SSA did not meaningfully consider the underlying merits of the quotations, the agency's source selection decision demonstrates otherwise. The tradeoff decision shows that the SSA started by summarizing (in bullet form) the evaluators' consensus findings for each vendor under the prior experience and technical solution evaluation factors. AR, Tab 30, Award Decision at 4-8. The decision also noted that the SSA had independently reviewed the evaluation panel's consensus findings and confidence assessments, and concurred with those findings and recommendations. *Id.* at 3 (stating the SSA "independently reviewed the assignment of the confidence ratings as well as supporting bullets").

The record also reflects that the SSA's comparative tradeoff analysis was unobjectionable. For example, comparing TSPi, which offered the lowest price, to Alethix and a third vendor, the SSA explained that:

Though there are some differences in the supporting findings for each of these quotes it is not found that either of these quote[s] provide additional value to the Government to trade off to the higher price quoted by each of these vendors and it is determined that no trade off should be made to either of these higher priced quotes as they do not provide additional benefit to the Government for the premium price.

Id. at 9. Although the SSA determined that a fourth vendor had “benefits to the technical offering . . . over TSPi,” those benefits were not worth the fourth vendor’s price, which was highest overall. *Id.* In other words, the SSA was aware of the relative merits of the evaluated quotations but did not find any benefit to warrant the price premium over TSPi’s lower-priced quotation. In this regard, we have no basis to object to the agency’s tradeoff determination. See *DRS Tech. Servs., Inc.*, B-412070, Dec. 2, 2015, 2015 CPD ¶ 377 at 4 (denying protest challenging basis of award where the record showed that the best-value tradeoff decision was reasonable and adequately documented).

With respect to Alethix’s allegation that any reasonable comparison would have resulted in a conclusion that Alethix’s quotation was superior to TSPi’s, we find the agency’s evaluation to be unobjectionable. See Protest at 19-24. The protester makes several claims as to why, in its view, the agency was unreasonable in not finding the awardee’s quotation to be “materially inferior,” when compared to Alethix’s quotation. For example, Alethix complains that its quotation should not have been considered technically equivalent to TSPi’s because TSPi has less experience and “has very poor performance with respect to limited and marginally relevant experience that it does have.” *Id.* at 19-22 (emphasis omitted). The agency responds that it was reasonable in the evaluation and assessment of a rating of “some confidence” to TSPi’s quotation. MOL at 23-24.

An agency’s evaluation of prior (or relevant) experience is distinct from an evaluation of past performance, because the former focuses on the degree to which a vendor performed similar work, while the later focuses on the quality of that performance. See *Ausley Assocs., Inc.*, B-417509 *et al.*, July 24, 2019, 2019 CPD ¶ 279 at 3. As such, we find no merit to Alethix’s use of TSPi’s alleged “poor performance” as a basis to question the agency’s assessment of that firm’s experience. See *Amyx, Inc.*, B-410623, B-410623.2, Jan. 16, 2015, 2015 CPD ¶ 45 at 14-15 (finding that the agency reasonably evaluated relevant experience as distinct from past performance).

To the extent Alethix’s argument is that its experience should have been evaluated as superior to TSPi’s based on Alethix’s incumbency, we have repeatedly explained that “a protester’s apparent belief that its incumbency status entitled it to higher ratings or dispositive consideration provides no basis for finding an evaluation unreasonable.”

Raytheon Co., B-417935 *et al.*, Dec. 13, 2019, 2020 CPD ¶ 6 at 6. There is no requirement that an offeror be given additional credit for its status as an incumbent, or that the agency assign or reserve the highest rating for the incumbent offeror. *Id.* In short, Alethix's arguments here provide no basis on which to sustain the protest.

The protest is denied.

Edda Emmanuelli Perez
General Counsel