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

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Decision

Matter of: Hallmark Capital Group, LLC

File: B-408661.3; B-408661.4; B-408661.5

Date: March 31, 2014

Bryant S. Banes, Esq., Sean D. Forbes, Esq., and Stormy N. Hendershott, Esq., Neel, Hooper & Banes, P.C., for the protester.
Kenneth D. Bynum, Esq., Bynum & Jenkins, for Davis-Paige Management Systems, LLC, an intervenor.
Capt. Anthony F. Schiavetti, Department of the Army, for the agency.
Jonathan L. Kang, Esq., and Nora K. Adkins, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

1. Protest arguing that the awardee's technical proposal should have been rejected as unacceptable because it proposed staffing below the estimates set forth in the solicitation is denied where the solicitation did not state that the estimates were mandatory minimums.
 2. Protest alleging that the agency evaluated the offerors' technical proposals in an unequal manner is denied where the agency had a reasonable basis for assigning strengths to the awardee's proposal but not the protester's proposal.
 3. Protest alleging that the agency unreasonably assigned the awardee's proposal multiple, duplicative strengths for the same aspect of its proposal is denied where the strengths related to different parts of the awardee's proposal.
 4. Protest alleging that the agency's award was tainted due to bias and bad faith is denied where the protester's allegations are based on unsupported inferences or speculation regarding the actions of agency officials.
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DECISION

Hallmark Capital Group, LLC, of Houston, Texas, protests the award of a contract to Davis-Paige Management Systems (DPMS), LLC, of Annandale, Virginia, under request for proposals (RFP) No. W911RZ-12-R-0001, issued by the Department of the Army for logistical support services at Fort Carson, Colorado. The protester

argues that the agency's evaluation of the awardee's technical proposal was unreasonable, that the agency treated the offerors unequally, and that the award decision was tainted by bad faith and bias.

We deny the protest.

BACKGROUND

The RFP was issued on June 20, 2012, as a set-aside for participants in the Small Business Administration's 8(a) program. The solicitation sought proposals to provide logistics support services for the Fort Carson Directorate of Logistics (DOL), including supplies, troop service support, transportation, and maintenance of vehicles, equipment, and other government property. The solicitation anticipated the award of an indefinite-delivery, indefinite-quantity contract with fixed-price and cost-plus-fixed-fee contract line items for a 2-month phase-in period, a 1-year base period, and one 1-year and one 10-month options. RFP at 31.¹

The RFP identified the following three evaluation factors: (1) mission capability; (2) past performance; and (3) cost/price. RFP at 89. The mission capability factor had four subfactors: (1) management approach; (2) technical approach; (3) quality approach; and (4) human resources management. Id. The management approach and technical approach subfactors were "approximately equal" in importance; the quality approach subfactor was "somewhat less important" than either of the first two subfactors, but was "somewhat more important" than the human resources management factor. Id. at 90. For purposes of award, the mission capability factor was the "most important factor"; the past performance factor was "significantly less important" than the mission capability factor. Id. The two non-cost/price factors, when combined, were "approximately equal" to cost/price. Id.

The Army received 14 proposals by the closing date of August 14. Contracting Officer's Statement at 12. The agency reviewed the proposals and established a competitive range of the three most highly-rated offerors, including Hallmark and DPMS. Id. In May 2013, the agency conducted discussions with the offerors in the competitive range and received final proposal revisions in June 2013. Id. at 12-14. In July 2013, the agency selected DPMS's proposal for award. On August 5, Hallmark filed a protest with our Office (B-408661) challenging the award to DPMS, arguing that the agency engaged in misleading or inadequate discussions, and that the agency evaluated its proposal in an unreasonable and disparate manner as compared to the awardee. On September 4, the agency advised our Office that it would take corrective action in response to the protest. Based on the agency's intended action, we dismissed the protest as academic. Hallmark Capital Grp. LLC, B-408661 (Sept. 4, 2013).

¹ Citations herein are to the conformed version of the RFP provided by the agency.

The Army's corrective action consisted of a reevaluation of the offerors' technical proposals and the issuance of a new selection decision. Agency Report (AR) at 16. On September 27, the agency advised the protester that it had again selected DPMS's proposal for award. On October 3, Hallmark filed a second protest (B-408661.2), arguing that the agency's corrective action failed to address the arguments raised in the initial protest, and that the corrective action was undertaken in bad faith. On November 13, the agency again stated that it would take corrective action, and our Office dismissed the protest as academic. Id. at 17; Hallmark Capital Grp. LLC, B-408661.2 (Nov. 13, 2013). The agency's second corrective action consisted of a reevaluation of the offerors' technical proposals and the issuance of a new selection decision. AR at 17.

As relevant here, the Army's final evaluation assigned Hallmark's proposal one strength and ten weaknesses under the management approach subfactor of the mission capability factor, and no strengths or weakness under the other three subfactors. AR, Tab 95, Revised Source Selection Decision (SSD), at 11-14. For DPMS's proposal, the agency identified nine significant strengths, six strengths and ten weaknesses under the management approach subfactor; 1 strength and no weaknesses under the technical approach subfactor; and no strengths or weakness under the other two subfactors. Id. at 13-16.

The Army's final evaluation ratings² for Hallmark and DPMS, as assigned by the evaluators and revised by the source selection authority (SSA)³, were as follows:

	HALLMARK	DPMS
MISSION CAPABILITY	ACCEPTABLE	ACCEPTABLE
Management Approach	Acceptable	Acceptable
Technical Approach	Acceptable	Good
Quality Approach	Acceptable	Acceptable
Human Resources Management	Acceptable	Acceptable
PAST PERFORMANCE	SUBSTANTIAL CONFIDENCE	SUBSTANTIAL CONFIDENCE
EVALUATED COST/PRICE	\$73,140,146	\$74,647,810

² For the mission capability factor, the RFP stated that the agency would assign one of the following ratings: outstanding, good, acceptable, marginal, or unacceptable. RFP 91-92. For the past performance factor, the RFP stated that the agency would assign one of the following ratings: substantial confidence, satisfactory confidence, limited confidence, no confidence, or unknown confidence. Id. at 93.

³ Although the agency evaluators assigned Hallmark and DPMS past performance ratings of unknown confidence, the source selection authority revised these to substantial confidence. AR, Tab 95, Revised SSD, at 9, 24.

Id. at 9, 24.

The SSA concluded that although DPMS's and Hallmark's proposals merited the same rating under the management approach subfactor, DPMS's proposal provided more significant strengths and strengths that provided benefit to the government. Id. at 26. The SSA found that these advantages, as well as the advantages for DPMS's proposal under the technical approach factor, merited selection of its higher-priced proposal. Id. On December 18, the agency again awarded the contract to DPMS and advised Hallmark of the award. AR at 17-18. This protest followed.

DISCUSSION

Hallmark raises four primary challenges to the Army's award to DPMS: (1) the agency's evaluation of DPMS's proposal was based on an unreasonable interpretation of the requirements of RFP section J, attachment 10; (2) the agency treated the offerors unequally in the evaluation of their technical proposals; (3) the agency improperly credited DPMS with multiple, duplicative strengths for the same aspect of its proposal; and (4) the agency's actions reflected bad faith and bias towards the awardee.⁴ For the reasons discussed below, we find no basis to sustain the protest.⁵

⁴ Hallmark also raises other collateral issues; although we do not address all of the protester's arguments, we have reviewed each issue raised and find that none provides a basis to sustain the protest. For example, the protester alleges that the Army's post-award debriefings for Hallmark incorrectly stated that the protester's evaluated cost/price was \$99,736,432, rather than \$74,848,033--thus, incorrectly advising the protester that its evaluated cost/price was higher than the awardee's. AR, Tab 97, Hallmark Debriefing (Dec. 20, 2013), at 11. The protester states that "during all three debriefings, the Agency utilized the proposed costs which show a \$20M price difference, which would discourage most from protesting this award." Protester's Supp. Comments (Feb. 6, 2014), at 2. As our Office has repeatedly held, however, errors or misstatements in a debriefing are procedural matters that do not affect the validity of an otherwise reasonable award. Healthcare Tech. Solutions Int'l, B-299781, July 19, 2007, 2007 CPD ¶ 132 at 5 (GAO does not review the conduct or adequacy of debriefings).

⁵ Hallmark raised other arguments in its initial and supplemental protests, which the protester acknowledges were subsequently abandoned or withdrawn. Protester's Supp. Comments (Feb. 19, 2014) at 3-5. The Army also contends that Hallmark abandoned its argument, which was raised in its initial protest, that the agency failed to identify strengths in the protester's proposed technical approach based on "innovations." Supp. AR (Feb. 14, 2014) at 9. We find that although the Army provided a detailed response to Hallmark's argument in its report on the protest, AR
(continued...)

The evaluation of an offeror's proposal is a matter within the agency's discretion. IPlus, Inc., B-298020, B-298020.2, June 5, 2006, 2006 CPD ¶ 90 at 7, 13. A protester's disagreement with the agency's judgment in its determination of the relative merit of competing proposals does not establish that the evaluation was unreasonable. VT Griffin Servs., Inc., B-299869.2, Nov. 10, 2008, 2008 CPD ¶ 219 at 4. In reviewing a protest against an agency's evaluation of proposals, our Office will not reevaluate proposals but instead will examine the record to determine whether the agency's judgment was reasonable and consistent with the stated evaluation criteria and applicable procurement statutes and regulations. National Gov't Servs., Inc., B-401063.2 et al., Jan. 30, 2012, 2012 CPD ¶ 59 at 5.

The Solicitation's Staffing Requirements

Hallmark argues that DPMS proposed staffing below the level required by the RFP, and that its proposal should have been rejected as technically unacceptable. In this regard, the protester contends the solicitation required "strict adherence" to the workload data set forth in RFP section J, attachment 10. Protest (Dec. 23, 2013) at 24. The Army argues that attachment 10 did not set forth minimum or mandatory staffing levels, and that its evaluation of the offerors' proposals was consistent with the terms of the solicitation. For the reasons discussed below, we agree with the agency and find no basis to sustain the protest.

For the management approach subfactor of the mission capability factor, section L of the solicitation required offerors to provide a "general management approach that will meet or exceed all of the [performance work statement (PWS)] requirements," including a staffing chart that addressed "the proposed total overall manning for the proposed organization structure and clearly depicting the total number of productive man-hours and associated Full-time equivalents (FTEs) for each proposed organizational element by labor category." RFP at 82-83. Section M of the solicitation advised that the agency would "evaluate the offeror's general methodology for performing all tasks described in the PWS including its understanding of the relationship of the individual PWS functions to each other." Id. at 90. The RFP further stated that the agency would "evaluate the Offeror's methodology for managing the manpower, subcontractor(s), facilities, and equipment required to perform all tasks described in the PWS and its application of personnel, equipment, and material resources for performing those tasks." Id.

(...continued)

at 24-26, the protester did not respond to this argument in its comments. For this reason, we conclude that Hallmark also abandoned this argument. See Accumark, Inc., B-310814, Feb. 13, 2008, 2008 CPD ¶ 68 at 2 n.1.

As relevant here, RFP section J, attachment 10, provided a “Historical/Projected Workload” estimate. Attachment 10 consisted of 118 pages of tables and charts concerning the number of transactions handled in each category of work for the Fort Carson DOL, including maintenance, supplies, and transportation for fiscal year 2009 and part of fiscal year 2010; estimated numbers of labor hours that were required for fiscal years 2010 and 2011; and the agency’s projections for the number of labor hours required for the PWS. The historical data and projections were provided as numbers of transactions, and historical and estimated hours for specific tasks; the attachment did not provide estimates or data based on specific labor positions or categories, nor did it specify the labor categories or positions required to perform any of the tasks.

In response to questions from offerors concerning the PWS requirements, the agency advised that offerors should look to attachment 10 for guidance concerning the scope of work required. For example, in response to an offeror’s question as to whether requirements not expressly set forth in the PWS should be included in offerors’ staffing proposals, the agency advised that “[o]fferors need to propose to the historical workload provided in solicitation section J, Attachment 10.” AR, Tab 24, Final Pre-Site Visit Questions and Answers, at 5. Similarly, in response to an offeror’s question as to which estimates within attachment 10 should be used by offerors when “estimating [firm fixed-price] staffing requirements,” the agency advised that “the [labor]-hours depicted in the maintenance projected workload on page 117 in Attachment 10, revised 16 July 2012 included in RFP amendment 0001 should be used.” AR Tab 27, Post-Site Visit Questions and Answers, at 1-2.

To the extent Hallmark argues that DPMS’s proposal was unacceptable because it was not based on “strict adherence” to the projected workload data in attachment 10, we conclude that the RFP did not require such compliance. Neither sections L nor M of the solicitation refer to attachment 10. Further, attachment 10 did not provide any instructions regarding the use of the workload data for offerors’ proposals. Although the PWS cited attachment 10, it did not instruct offerors that the workload data established mandatory minimum staffing levels. Instead, the PWS advised that attachment 10 provided “[h]istorical and projected workload” data, and further advised that “[w]hile this information is the best available at present, actual workload during the contract may vary considerably from both the historical and projected figures based on such factors as customers’ mission requirements and budgetary changes.” AR, Tab 6, PWS, at 1-14.

With regard to the protester’s argument that the awardee did not propose sufficient numbers of FTEs to perform the work estimates in attachment 10, we note that the estimates in that attachment did not include data by labor positions or FTE estimates. In fact, the protester concedes that attachment 10 did not specifically set forth estimates or projections based on specific labor categories. See Protester’s Supp. Comments (Feb. 19, 2014) at 6. In any event, the record shows that the Army evaluated DPMS’s proposal in accordance with the terms of the RFP and

found that although the awardee provided insufficient staffing in certain areas, the awardee was technically acceptable, overall. See AR, Tab 94, Revised DPMS Evaluation, at 2, 7-10; Tab 95, Revised SSD, at 13-15.⁶ Similarly, the agency also noted a weakness concerning Hallmark's inadequate staffing for the national maintenance program requirements as compared to the government estimate, but found that the protester's proposal was nonetheless technically acceptable. See AR, Tab 93, Revised Hallmark Evaluation, at 4; Tab 95, Revised SSD, at 11-12.

As a related matter, Hallmark contends that offerors were required to propose to provide 899,411 labor hours for the base year, which was the total number of hours listed in the agency's projections in attachment 10. See RFP § J, attach. 10, at 117. The protester contends that DPMS's proposal, which was based on an estimated level of work of [deleted] hours, was unacceptable. See AR, Tab 56, DPMS Revised Proposal, Vol. II, at 37. As discussed above, however, nothing in the RFP--including attachment 10--required offerors to propose a specific number of FTEs or hours. Instead, attachment 10 was a summary of historical hours, and the agency's estimates for performance. To the extent the protester argues that DPMS's proposal should have been rejected as unacceptable because it did not propose at least as many hours as the agency's estimates in attachment 10, this argument has no merit. In sum, we find no basis to sustain the protest.⁷

⁶ Although Hallmark argues that the Army's evaluation of the offerors' proposals shows that attachment 10 required offerors to propose specific levels of FTEs, the record does not support this contention. See Protester's Comments (Feb. 6, 2014) at 3, citing AR, Tab 42, Initial DPMS Evaluation, at 10. As the agency explains, the references to a government estimate for FTE requirements concerned the government's internal estimates, rather than requirements or estimates set forth in attachment 10. Supp. AR (Feb. 14, 2014) at 13-14. In this regard, the independent government cost estimate (IGCE) included estimates of the required labor based on labor categories and FTE levels established by the agency. See AR, Tab 2, IGCE, at 1-56. The IGCE, however, was not provided to offerors, and, as discussed above, the RFP neither identified mandatory labor categories nor specified minimum FTE levels. On this record, we find that the references to FTE or staffing requirements in the agency's initial evaluation, as cited by the protester, referred to the IGCE and not express requirements of the RFP.

⁷ Hallmark also argues that the Army's failure to evaluate DPMS's proposal based on a standard of "strict compliance" with attachment 10 rendered the evaluation of the realism of the awardee's proposed cost unreasonable. See Protester's Comments (Feb. 6, 2014) at 7-9; Protester's Supp. Comments (Feb. 19, 2014) at 18-20. Because we find no merit to the protester's challenge regarding the evaluation of the awardee's proposal with regard to attachment 10, we find no basis to conclude that the agency's evaluation of the awardee's proposed cost was unreasonable.

Unequal Treatment

Next, Hallmark argues that the Army credited DPMS's proposal with strengths, but failed to credit the protester with strengths for similar or identical aspects of its own proposal. The agency argues that its evaluation was based on clear differences between the offerors' proposals. We agree with the agency and find no basis to sustain the protest.⁸

Under the technical approach subfactor of the mission capability factor, the Army assigned a strength for DPMS's proposal because it addressed the awardee's approach to using a Standard Army Management Information System (STAMIS) to "remedy a current weakness within the DOL processes where there is no STAMIS automation utilized to track and maintain the accountability of materials within building 520, the contingency warehouse, which directly supports [central receiving and shipping point] operations." AR, Tab 95, Revised SSD, at 15; see also Tab 94, Revised DPMS Evaluation, at 10-11; Tab 102, Decl. of Source Selection Evaluation Board (SSEB) Chair, at 2. In particular, the agency found that the awardee's proposed approach will "establish formal accountability . . . [and] provide a STAMIS method for seeking reimbursement for the materials issued to Fort Carson units which has merit and is advantageous to the DOL during Logistics Support Services (LSS) contract performance." Id.

Hallmark argues that the agency's assessment of a strength for the awardee was improper because the protester's proposal also addressed its proposed use of a STAMIS. See, e.g., AR, Tab 72, Hallmark Revised Proposal, Vol. II, at 10, 33. The Army acknowledges that the protester also discussed its proposed use of a STAMIS. Supp. AR (Feb. 14, 2014) at 24. The Army contends, however, the strength assigned to DPMS did not relate solely to its proposed use of a STAMIS, but was based on the level of detail and specificity regarding its proposed use of a STAMIS with regard to the contingency stock warehouse at building 520. Id.; see also AR, Tab 102, Decl. of SSEB Chair, at 2. Specifically, as discussed above, the agency found that DPMS's proposed use of a STAMIS for building 520 would remedy a current weakness within the DOL processes within building 520, the contingency warehouse. AR, Tab 95, Revised SSD, at 15.

Although Hallmark referenced its use of a STAMIS throughout its proposal, the protester acknowledges that it did not specifically refer to its use of a STAMIS with regard to the contingency stock requirements for building 520. Protester's Supp. Comments (Feb. 19, 2014) at 11. Instead, its proposal stated that it would use

⁸ Although we address only one of Hallmark's arguments concerning unequal treatment, we have reviewed all of the protester's allegations and find that none provides a basis to sustain the protest.

“[deleted]” for cost tracking and inventory maintenance. AR, Tab 72, Hallmark Revised Proposal, Vol. II, at 46. The Army states that it did not consider the protester’s reference to unspecified [deleted] to be equal to the awardee’s proposed use of a STAMIS for building 520. AR, Tab 102, Decl. of SSEB Chair, at 2-3.

To the extent Hallmark argues that the Army should have understood that the term “[deleted]” was a reference to the protester’s discussion of its proposed use of a STAMIS in other parts of its proposal, we find no merit to this argument. Offerors are responsible for submitting a well-written proposal with adequately-detailed information that allows for a meaningful review by the procuring agency. CapRock Gov’t Solutions, Inc., et al., B-402490 et al., May 11, 2010, 2010 CPD ¶ 124 at 20. On this record, we think that the agency acted reasonably in assigning a strength to DPMS for proposing to use a STAMIS at building 520, and in not assigning a strength to Hallmark for proposing to use unspecified [deleted] for this work.⁹

Assessment of Multiple Strengths for DPMS’s Proposal

Next, Hallmark argues that the Army unreasonably assigned multiple strengths to DPMS’s proposal for what the protester contends were the same features. The

⁹ Hallmark argues that we should give no weight to the declaration of the SSEB Chair, because, the protester contends, it consists of post-hoc rationales that are not supported by the contemporaneous record. In reviewing an agency’s evaluation, we do not limit our consideration to contemporaneously-documented evidence, but instead consider all the information provided, including the parties’ arguments, explanations, and any hearing testimony. The S.M. Stoller Corp., B-400937 et al., Mar. 25, 2009, 2009 CPD ¶ 193 at 13. While we generally give little or no weight to reevaluations and judgments prepared in the heat of the adversarial process, see Boeing Sikorsky Aircraft Support, B-277263.2, B-277263.3, Sept. 29, 1997, 97-2 CPD ¶ 91 at 15, post-protest explanations that provide a detailed rationale for contemporaneous conclusions, and simply fill in previously unrecorded details, will generally be considered in our review of the rationality of selection decisions--provided that those explanations are credible and consistent with the contemporaneous record. NWT, Inc.; PharmChem Labs., Inc., B-280988, B-280988.2, Dec. 17, 1998, 98-2 CPD ¶ 158 at 16. Here, the agency’s explanation provided more detail concerning its decision to assign DPMS a strength based on its specific discussion of a STAMIS with regard to building 520, and the protester’s lack of similar detail in its proposal. See AR, Tab 102, Decl. of SSEB Chair, at 1-4. On this record, we find no basis to disregard the SSEB Chair’s declaration, as urged by the protester.

agency states that they were all individual strengths, and therefore were reasonably assessed. We agree with the agency and find no basis to sustain the protest.¹⁰

Hallmark argues that the Army assigned two significant strengths and one strength to DPMS's proposal under the management approach subfactor of the mission capability factor based on advantages relating to communications. The protester contends that because each significant strength and strength related to communications, the agency unreasonably inflated the number strengths. The Army argues that each of the strengths cited above has a reasonable basis because they related to different aspects of the awardee's approach to communications and provided different benefits. Supp. AR (Feb. 14, 2014) at 26-27; AR, Tab 102, Decl. of SSEB Chair, at 9-13. We find that the Army's assessment of strengths to DPMS's proposal here was reasonable.

The management approach subfactor required offerors to address the following requirements:

The Offeror's management approach will be evaluated based on the offeror's understanding of the scope of the DOL mission, how the Offeror will meet current requirements while having the flexibility to satisfy shifting needs in the future, and how the Offeror will employ key management competencies such as efficiency and cost savings, communication, customer service, timeliness, quality and continuous improvement. The Government will consider whether the proposal provides any innovative ideas that could improve services, enhance customer service, and/or reduce costs.

RFP at 90.

The agency assessed two significant strengths (SS) and one strength (S) for the following areas of DPMS's proposal:

(SS3) MMNN1-S-0011 Management Approach Understanding Scope Strength . . .

The offeror's approach demonstrates a level of technical knowledge and expertise required to perform the PWS requirements. Exhibit A-4: Team Lines of Communication, presents a thorough understanding of the proper and appropriate communications between the Fort Carson DOL and the offeror's organization. Proper application of this

¹⁰ Although we address only one of Hallmark's arguments concerning the assignment of strengths to DPMS's proposal, we have reviewed all of the protester's allegations and find that none provides a basis to sustain the protest.

communication structure assigns clear lines of communication within the “TEAM”. The team references are to the corporate office, Fort Carson (DOL) and the Project Management Office and the interactions that exist at all levels. This will enhance communications and the sharing of information that is intrinsic to ensure customer requirements are met or exceeded and will prevent improper communications on the DOL LSS contract which [is] a benefit to the government. Exhibit A-5: External Communications Plan, presents the [deleted] with the objective, purpose and participants of each meeting. This articulates an exceptional understanding of the scope of contract areas requiring scheduled communication and coordination between the identified participants and the purpose of each meeting and is essential to minimize risk and maximize the probability of successful contract performance. Exhibit A-9: Team Methodology for Managing Resources articulates a detailed approach to manage the manpower, facilities and equipment required throughout the scope of the contract. The attention to detail that the offeror provides regarding the breadth of management responsibilities across the DOL LSS contract demonstrates an exceptional understanding of the requirements. The offeror’s Management Approach clearly addresses and identifies the demographics and challenging environment that comprises the scope of the Fort Carson DOL’s customer base, mission or requirements and establishes sound fundamentally based assurances that they understand the Fort Carson Logistics Support Services mission objectives and can perform and achieve efficient results in terms of the offeror’s management approach.

(SS4) MMNN1-S-0012 Management Approach Management Techniques Strength . . .

The offeror’s proposed management techniques and procedures necessary to support performance of the major functional and sub-functional areas addresses several remarkable insights that include internal and external communications (various methods, Exhibits A-4 & A-5), cost management, authorities (Exhibits A-6 & A-14) and the ability to leverage corporate capabilities to enhance DOL operations (Paragraph A.2.5 & Exhibit A-14). The offeror identifies a corporate [deleted] (no direct cost to the DOL) that can be leveraged to identify solutions to issues, and improve performance using [deleted]. The offeror also presents an understanding that the best input for service improvements will come directly from the staffing that is performing the functions. These aspects of the offeror’s proposal have appreciable merit and exceed specified performance requirements in a way that will be appreciably advantageous to the Government during contract performance. The offeror’s approach exceeds the PWS

requirements and indicates an exceptional approach and understanding of the requirements.

* * * * *

(S1) MMNN1-S-0002 Management Approach Management Competencies External Communication Plan Strength . . .

As part of the offeror's Management Techniques they have described an external communication plan as an aspect of their approach that has merit and exceeds specified performance requirements in a way that will be advantageous to the Government during contract performance and is a more effective communication plan that exceeds PWS requirements and will greatly enhance the execution and management of this contract. Their plan will develop [deleted] communications with the government as well as their subcontractors. This detailed level of planning and coordination will greatly minimize risk and maximize the probability of success while maintaining transparency with the Government.

AR, Tab 94, Revised DPMS Evaluation, at 3-4, 6.

The record shows that SS3 addresses numerous aspects of the awardee's proposal, including a thorough understanding of the proper and appropriate lines of communications between the contractor and agency organizations. AR, Tab 94, Revised DPMS Evaluation, at 3. In contrast, SS4 addresses management approach and techniques, including the awardee's "[deleted]" that will "be leveraged to identify solutions to issues, and improve performance using [deleted]." Id. at 3-4. Finally, S1 addresses the awardee's external communications plan; although this issue was also identified in SS3, the focus for S1 concerned the effectiveness of the awardee's approach to communications for the purpose of "maximiz[ing] the probability of success while maintaining transparency with the Government." Id. at 6.

Although, as a general matter, each of the strengths discussed DPMS's approach to communications, each strength was distinct. We see nothing unreasonable in assigning multiple strengths to an offeror's proposal based on different aspects of a general category of requirements or technical approach, such as communications. On this record, we find no basis to sustain the protest.

Bad Faith and Bias

Finally, Hallmark argues that the Army's award to DPMS reflects bad faith on the part of the agency, and improper bias either towards DPMS or against Hallmark. Government officials are presumed to act in good faith, and a protester's contention that procurement officials are motivated by bias or bad faith must be supported by convincing proof; our Office will not consider allegations based on mere inference, supposition or unsupported speculation. Career Innovations, LLC, B-404377.4, May 24, 2011, 2011 CPD ¶ 111 at 7-8; Shinwha Elecs., B-290603 et al., Sept. 3, 2002, 2002 CPD ¶ 154 at 5 n.6.

Here, Hallmark argues that the Army's evaluation of the offerors' proposals was unreasonable, and that the errors in the evaluation are evidence of the agency's bias in favor of DPMS. As discussed above, however, we find no merit to any of the protester's arguments, and therefore find no basis to conclude that the agency's actions reflected bad faith or bias. In sum, we find no basis to sustain the protest.

The protest is denied.

Susan A. Poling
General Counsel