



GAO Statement on the Protest of General Dynamics Information Technology, Inc.

The following is a statement from Kenneth E. Patton, Managing Associate General Counsel for Procurement Law, regarding GAO's decision resolving the protest filed by General Dynamics Information Technology, Inc., B-417616.2, on December 23, 2019.

On March 31, 2020, the U.S. Government Accountability Office (GAO) issued its decision in the protest of General Dynamics Information Technology, Inc. (GDIT), of Falls Church, Virginia, regarding the award of a contract to Leidos, Inc., of Reston, Virginia, under request for proposals No. HC1028-18-R-0024, issued by the Defense Information Systems Agency (DISA) for global solutions management – operations (GSM-O II) services. The purpose of the GSM-O II procurement is to obtain operations and sustainment services for the Department of Defense Information Network/Defense Information System Network, which DISA administers. The solicitation contemplated the award of a single indefinite-delivery, indefinite-quantity contract--under which task orders would then be placed--with a 10 year ordering period, a maximum order amount of \$6.52 billion, and a guaranteed minimum amount of \$5 million. GDIT argued that the agency's evaluation of offerors' proposals and resulting award decision were improper.

GAO denied the protest, and summarized the decision's findings as follows:

- GAO denied GDIT's contention that the agency engaged in misleading negotiations, which led the protester to increase its proposed direct labor rates. The contention was denied because it was not supported by the record, and because the protester made its own independent business judgment regarding how to respond to the concerns expressed by the agency about GDIT's direct labor rates.
- GAO denied GDIT's challenge to the agency's price realism evaluation of the Leidos proposal after concluding that the agency's analysis was conducted appropriately using applicable price analysis techniques, and with results that were reasonable and consistent with the terms of the solicitation.
- GAO dismissed as untimely a supplemental protest issue raised by GDIT alleging that the agency failed to investigate whether Leidos gained an unfair competitive advantage by hiring a former agency official. The issue was not raised at GAO within 10 days of when the protester knew or should have known of its basis of protest.

The decision here was issued under a protective order because the decision may contain proprietary and source selection sensitive information. GAO has directed

counsel for the parties to promptly identify information that cannot be publicly released so that GAO can expeditiously prepare and release a public version of the decision. When the public version of the decision is available, it will be posted to our website, www.gao.gov.

For more information, please contact Kenneth E. Patton at 202-512-8205, Ralph O. White at 202-512-8278, or Chuck Young at 202-512-4800. More information about GAO's Bid Protest process is also available on the GAO website.

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