

**United States Small Business Administration  
Office of Hearings and Appeals**

VSBC Protest of:

Northern Purchase Services, LLC,

Protestor,

Re: I-2-I Solutions, Inc.

Solicitation No. 36C25724Q0420

U.S. Department of Veterans Affairs

SBA No. VSBC-370-P

Decided: July 22, 2024

ORDER DISMISSING PROTEST

On July 9, 2024, Northern Purchase Services, LLC (Protestor) filed the above-captioned protest, challenging the Service-Disabled Veteran-Owned Small Business (SDVOSB) status of I-2-I Solutions, Inc. (I-2-I), the apparent awardee of the U.S. Department of Veterans Affairs (VA) Solicitation No. 36C25724Q0420. The Contracting Officer (CO) forwarded the protest to the U.S. Small Business Administration (SBA) Office of Hearings and Appeals (OHA) for review.

Protestor submitted as its protest a copy of an e-mail discussion with the CO, followed by a second email requesting “a size/status protest.” Protestor claims that the “prospective awardee’s relationship with the subcontractor appears to violate the Ostensible Subcontractor doctrine.” Protestor also claims that I-2-I offering the lowest bid price creates possible violations of the subcontracting rule. In support, Protestor proffered a copy of a quote that Protestor received from Company A to offer its services as a subcontractor for the instant procurement, and I-2-I’s capabilities statement, which appears to be a brochure of the contested firm’s general service information.

Upon OHA’s show cause order, on July 17, 2024, Protestor explained that “[p]rior to the government submission deadline for this solicitation I-2-I got the same pricing from [Company A] for all services.” Thus, Protestor argues that “I-2-I’s pricing as given by the award amount cannot comply with limitations on subcontracting not because they are the lowest bidder but because at the award amount given [Company A] would be owed more than 50% of the award amount without being a similarly situated entity.” Protestor then proceeds to state, citing VAAR 852.219-75, the CO has the power to request evidence of compliance with the limitations on subcontracting regulation. Thus, Protestor proposes that all the CO must do is ask I-2-I for their quote from Company A, and I-2-I to comply with the request. Then, I-2-I will explain to the government “how they acted in good faith by bidding an approximate 20% markup on their subcontractor’s pricing when limitations on subcontracting requires no more than 50% of the

award amount go to the non-SDVOSB subcontractor.” With its response, Protestor proffers Company A's quote to Protestor and the award information for the instant procurement, containing information about the procurement and I-2-I.

Upon review, the protest submitted appears deficient. Under OHA's rules of practice, a VOSB or SDVOSB protest must contain “[s]pecific allegations supported by credible evidence that the [challenged] concern (or joint venture) does not meet the VOSB or SDVOSB eligibility requirements listed in part 128 of this chapter.” 13 C.F.R. § 134.1005(a)(2). OHA must dismiss a nonspecific protest. 13 C.F.R. § 134.1007(b).

Here, I find Protestor's allegations utterly speculative without credible evidence to support why I-2-I does not meet the SDVOSB eligibility requirements. The protest consists of assumptions and speculations concerning how I-2-I, offering the lowest bid price, will violate the ostensible subcontracting rule, and how I-2-I will use Company A as its subcontractor without credible evidence. Protestor further argues the CO must request I-2-I to submit a presumed quote from Company A and let I-2-I explain how its plans to fulfill the contract. However, I have no authority over the procuring agency's contract award process. Thus, Protestor's request to initiate an investigation into I-2-I's offer based on assumptions and without credible evidence, are not valid grounds for a protest under 13 C.F.R. § 134.1003.

Protestor fails to challenge I-2-I's status as an SDVOSB with specific allegations supported by credible evidence. A protest “merely asserting that the protested concern is not an eligible VOSB or SDVOSB, without setting forth specific facts or allegations, is insufficient.” 13 C.F.R. § 134.1005(a)(2); *see also VSBC Protest of MicroTechnologies LLC*, SBA No. VSBC-324-P (2023).

Accordingly, I DISMISS the instant protest as nonspecific. This is the final decision of the U.S. Small Business Administration. 13 C.F.R. § 134.1007(b).

CHRISTOPHER HOLLEMAN  
Administrative Judge