

FAILURE TO FOLLOW EXPLICIT INSTRUCTIONS IN A SOLICITATION

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The failure to follow explicit instructions in a solicitation is frequently fatal. A contractor recent found out in *Bailey's Premier Services, LLC*, B-423066.3, April 15, 2026.

The Air Force issued a solicitation for an indefinite delivery, indefinite quality (“IDIQ”) contract for maintenance services in support of the Contractor Field Team (“CFT”) program which provides defense agencies and other federal agencies the ability to rapidly augment existing maintenance using contract services. The solicitation included a technical evaluation factor with two subfactors—a self scoring matrix and a small business participation commitment document (“SBPCD”). The solicitation advised that the technical volume “shall be written on a stand-alone basis without cross-referencing to other volumes in the proposal. Offerors were further cautioned in the solicitation that anything omitted from the technical volume will be assumed to be omitted from the proposal and would not be considered in the technical evaluation. Finally, the solicitation stated that if an offeror failed to provide a complete SBPCD as part of its proposal, the agency would find that the proposal failed to meet requirements and deem it technically unacceptable.

In evaluating Bailey’s proposal, the Air Force concluded that it did not meet the technical solicitation requirements. This was the case because Bailey’s submitted its SBPCD in a *separate volume*, and did not include the SBPCD in the technical volume, as specifically instructed in the solicitation language.

Bailey’s protested at the Government Accountability Office (“GAO”) arguing that all the substantive information was included in its complete proposal package, while acknowledging that it failed to include the SBPCD in its technical volume, but did include that document in a different volume, and the Air Force ignored it.

The GAO denied the protest, stating that the Air Force had reasonably rejected Bailey’s proposal because it failed to comply with the solicitation requirements that the technical volume had to be written on a stand-alone basis, so its contents could be evaluated without cross referencing other proposal volumes. Baileys ignored the explicit instructions in the solicitation, and the Air Force evaluation was fully consistent with the solicitation.

Takeaway. Any proposal must fully comply with solicitation requirements and instructions contained therein. Instructions in a solicitation, and especially *explicit* instructions, like those in this protest *simply cannot be ignored*. That is the reason that a separate review person or team should review both the solicitation and a draft of your proposal to ensure full compliance before the proposal is submitted.

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