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J. Carter
P. 101

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-189571

DATE: July 11, 1978

MATTER OF: Annapolis Tennis Limited Partnership

DIGEST:

Prior decision dismissing protest is affirmed where request for reconsideration fails to demonstrate errors of fact or law in prior decision or provide new information not previously considered.

Counsel for the Annapolis Tennis Limited Partnership (ATLP) requests that we reconsider our decision in Annapolis Tennis Limited Partnership, B-189571, June 5, 1978.

On July 8, 1977, ATLP protested to this Office against the award of a lease through competitive negotiation by the General Services Administration (GSA) to the Woodbridge Construction Company (Woodbridge) for laboratory facilities for the Environmental Protection Agency. ATLP contended that: (1) GSA failed to make a written determination that it was impracticable to secure competition; (2) the environmental assessment in connection with the project was inadequate; (3) GSA failed to obtain the information necessary to establish that Woodbridge is responsible; and (4) that GSA obtained information and data from ATLP, apparently for its own benefit and that of the awardee, thereby negotiating with ATLP in bad faith. ATLP also presented a claim for proposal preparation costs and a portion of its anticipated profit.

The record showed that ATLP had initially filed a general protest with the GSA in March 1977 which failed to state any specific grounds for its objection to the procurement. Subsequently, on April 14, 1977, ATLP questioned Woodbridge's responsibility in a meeting with GSA. The information necessary for ATLP to present its detailed objections was in ATLP's possession on or before May 26, 1977.

We dismissed ATLP's objections to GSA's affirmative determination of responsibility and the adequacy of the environmental assessment because this Office does not review these matters in the circumstances present here. The balance of ATLP's protest was dismissed as untimely under our Bid Protest Procedures, 4 C.F.R. § 20.2 (1977). We declined to consider ATLP's claim for proposal preparation costs because to do so would have permitted ATLP to circumvent the timeliness requirements of our Bid Protest Procedures.

Counsel for ATLP contends that our decision is a "legally incorrect result," but fails to indicate in what manner our decision may be based on an error of fact or law and provides no substantive information not previously considered.

Section 20.9(c) of our Bid Protest Procedures, 4 C.F.R. § 20.9(c) (1977), provides in part that a "request for reconsideration shall contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted, specifying any errors of law made or information not previously considered." We find no such basis here which would warrant reconsideration.

Our prior decision is affirmed.



Deputy Comptroller General
of the United States