

DECISION



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

10,880

FILE: B-194380

DATE: July 27, 1979

MATTER OF: Southern Wood Piedmont Company--
Reconsideration

DLG 00052

DIGEST:

[Request For Reconsideration of Issue Presented to Contract Appeals Board]

Where issue raised in request for reconsideration of GAO decision is also presented to contract appeals board, GAO declines to consider request since firm may not argue same issue in two forums. In any event, evidence offered by firm is self-serving in nature and would not be acceptable basis for reconsideration of prior decision.

The Southern Wood Piedmont Company (Southern Wood) requests that we reconsider our decision in Department of the Interior, B-194380, April 17, 1979, 79-1 CPD 271. The contracting officer had received from the low bidder (Southern Wood) a verification of its bid price after informing Southern Wood that verification was requested due to the large difference between the low bid price and the next low bidder's price. Because of this, we held that the resultant contract was valid and binding notwithstanding Southern Wood's postaward allegation of a mistake in bid. The agency had referred the matter to our Office for a decision.

Southern Wood contends that the contracting activity--contrary to the latter's assertion--did not fulfill its verification duty in that the activity did not advise the firm of the possibility of a mistake and the reasons therefor and offers as evidence the testimony of a witness--a sales manager of Southern Wood--to the verification request.

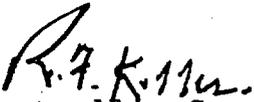
Southern Wood states that it has filed an appeal under the disputes clause of the contract with the Contract Appeals Board of the Department of the Interior

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"over the facts surrounding the mistake and our bid, * * *." The Government filed a motion for dismissal, and the case is currently pending. Since we do not believe that a firm should be allowed to pursue the same matter before two forums--in this case, our Office and the Board--we must decline to consider the request for reconsideration. GTE Sylvania, Incorporated, B-192985, January 25, 1979, 79-1 CPD 53.

In any event, and merely for informational purposes, we have held that evidence submitted by an employee of a firm requesting us to render a decision favorable to itself is self-serving in nature and unacceptable as it is not evidence derived independently of that firm. P. W. Parker, Inc., B-190286, January 6, 1978, 78-1 CPD 12; Roderick Construction, B-193116, January 30, 1979, 79-1 CPD 69.

Because of the above, the request for a conference on the matter is denied.


Deputy Comptroller General
of the United States