

AL-11
Mr. Weiskopf

13866

DECISION



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

FILE: B-196443

DATE: June 2, 1980

MATTER OF: Maryland Machine Tool Sales

DIGEST:

[Request for reconsideration] will not be considered where protester timely files short note indicating general disagreement with prior decision but fails to provide detailed statement within 10 working days after basis for reconsideration was known or should have been known.

Maryland Machine Tool Sales (MMTS) requests reconsideration of our decision Maryland Machine Tool Sales, B-196443, April 3, 1980, 80-1 CPD _____, in which we denied MMTS's protest over the award of a contract to another firm by the Department of the Navy under requests for proposals numbers N00600-79-R-2373, B117, B722, A333, 4717, A714 and A707.

Our decision found that the equipment offered by MMTS deviated from many of the Navy's minimum requirements, that MMTS's unsubstantiated technical assertions did not convince us that its equipment met the RFP's specification requirements, and therefore its proposals were properly excluded from the competitive range. We pointed out that the Navy was under no obligation to hold discussions with MMTS once its proposal was properly excluded from the competitive range.

MMTS filed its request for reconsideration on April 21, 1980. The request contained only a brief statement reiterating MMTS's prior contention that the Navy should have held discussions with MMTS and concluded with the statement that, "more information will follow." MMTS has yet to file its detailed statement of its grounds for reconsideration, although more than 10 working days have elapsed since the basis of its request was known.

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We will not consider the request for reconsideration because MMTS failed to timely submit the detailed statement. Our Bid Protest Procedures require that a request for reconsideration must contain a detailed statement specifying any error of law made or information not considered by our prior decision, and that the request must be filed not later than 10 working days after the basis for reconsideration is known or should have been known, whichever is earlier. 4 C.F.R. § 20.9 (1980). Where a protester timely files a short note indicating general disagreement with an earlier decision and subsequently provides the required detailed statement after the expiration of the 10 working day reconsideration period, the protester is attempting to extend the time for reconsideration.

We will not permit such attempts because they would open the door to potential protracted delays possibly resulting in circumstances negating any remedial action which may have been recommended in the earlier decision, and we will not grant any exceptions to this rule, not even where a protester believes it has received express prior approval to delay filing its detailed statement beyond the 10 working day period. Department of Commerce; International Computer Corporation, 57 Comp. Gen. 615 (1978), 78-2 CPD 84.

Since MMTS failed to submit the required detailed statement within the 10 working day period, we will not reconsider its request for reconsideration.

The request for reconsideration is dismissed.

Harry R. Van Cleave
for Milton J. Socolar
General Counsel