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DECISION



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

FILE: B-205011.2

DATE: February 9, 1982

MATTER OF: Habitation Technology, Inc. --
Reconsideration

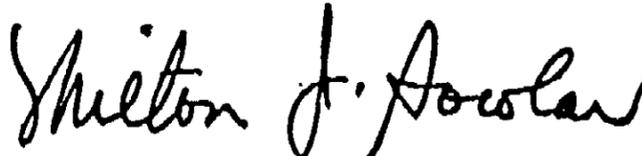
DIGEST:

Protester which withheld known relevant facts and argument during development of initial protest which was summarily denied for failure to demonstrate protester was entitled to remedy cannot, by way of request for reconsideration, cure defects in protest or avoid consequences of its failure to affirmatively prove its case.

Habitation Technology, Inc. (Habitech) requests reconsideration of our decision with respect to its protest on invitation for bids No. F05600-81-B-0040 issued by Lowery Air Force Base, Colorado, Habitation Technology, Inc., B-205011, December 28, 1981, 81-2 CPD 500. We summarily denied Habitech's protest because it provided no support for its allegations that the solicitation was deficient other than to say that the Air Force's response to its numerous pre-bid questions were evasive, unclear or ambiguous and precluded a reasonable bid. For the reasons discussed below, Habitech's request for reconsideration is denied.

In its request for reconsideration, Habitech concedes it should have provided more information. It then identifies three instances as examples of where it believes the agency's responses to its pre-bid questions were inadequate and explains why it thinks so. However, in all cases, the information and the explanations were known to Habitech before or during the development of its protest but were not presented at that time.

We do not think this information and argument should be considered at this time. To do so would enable Habitech to remedy the defects in its original protest and permit it to avoid the consequences of its failure to meet the burden of affirmatively proving its position. Reliable Maintenance Service, Inc., -- Reconsideration, B-185103, May 24, 1976, 76-1 CPD 337. This burden requires a protester to present its complete case, including all facts and argument which are relevant and known to it at the time, during its original protest. Decision Sciences Corporation -- Reconsideration, B-188454, December 21, 1977, 77-2 CPD 485; Interscience Systems, Inc.; Cencom Systems, Inc., -- Reconsideration 59 Comp. Gen. 658 (1980) 80-2 CPD 106.

for 
Comptroller General
of the United States