

118078
DECISION



Agr
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548
21473

FILE: B-206433.2

DATE: April 13, 1982

MATTER OF: Lowy's Express, Inc.--Reconsideration

DIGEST:

1. Decision is affirmed on reconsideration in absence of any showing that earlier decision was based on errors of fact or law.
2. Protester's request that GAO waive 10-day limitation for filing detailed statement of grounds for reconsideration is denied.

Lowy's Express, Inc. (Lowy), requests reconsideration of our decision in Lowy's Express, Inc., B-206433, March 10, 1982, 82-1 CPD, where we summarily denied the protest on the basis of Lowy's initial submission without obtaining an agency report because, in our view, the initial submission demonstrated the protest's lack of legal merit.

Lowy contended, first before the Army and later before this Office, that the low bidder's lack of an appropriate New Jersey license precluded a determination of the low bidder's affirmative responsibility and consequently precluded award to the low bidder. We noted that there was no indication that a specific license was required by the solicitation and that in the absence of such a specific requirement the possession of any particular license is not a prerequisite to award but rather a matter for resolution between the bidder and the licensing authority.

We only consider requests for reconsideration which " * * * contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted, specifying any errors of law made * * *." 4 C.F.R. § 21.9 (1981). Lowy's request merely states its opinion "that the Doctrine of Interstate Commerce has been misapplied

in this case" and requests an opportunity to elaborate on its position. We believe that the requested opportunity to elaborate is tantamount to a request that we waive the 10-day limitation for filing a detailed statement of the asserted grounds for reconsideration. We have held that the detailed basis for reconsideration must be made within the 10 days specified. See Department of Commerce, International Computaprint Corporation, 57 Comp. Gen. 615 (1978), 78-2 CPD 84. Lowy's request to submit details later, therefore, is denied.

Since the protester has made no showing that our prior decision was erroneous, we affirm the decision. Virginia-Maryland Associates, Inc.--Reconsideration, B-191252, July 7, 1978, 78-2 CPD 19.

Milton J. Sordani

for Comptroller General
of the United States