

DECISION



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

31522

FILE:

B-219350.2

DATE: June 20, 1985

MATTER OF:

BECO Corporation--Reconsideration

DIGEST:

Request for reconsideration is dismissed where protester raises no new facts or legal arguments which were not previously considered while the initial protest was pending.

BECO Corporation requests reconsideration of our decision in BECO Corp., B-217573, May 15, 1985, 85-1 C.P.D. ¶ ___, denying its protest concerning the award of a contract under invitation for bids (IFB) No. N62474-85-B-7541 issued by the Naval Facilities Engineering Command for the repair and replacement of damaged drain grates at Moffett Field, California.

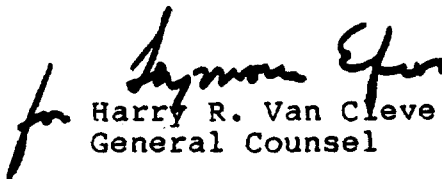
BECO protested as unfair the Navy's action in restricting the prebid inspection visit of the construction site to the time announced in the IFB and its denial to the protester of access to the worksite when requested on the last working day prior to bid opening. BECO contended that its second low bid would have been even lower, and it would have been in line for award, had it been permitted to inspect the worksite as it requested. We denied the protest because there was no evidence that the Navy acted deliberately to exclude the protester from competing; nor did the Navy act unreasonably in refusing to provide a site visit for the protester on the working day before bid opening. Since the solicitation gave BECO the same opportunity as all other bidders for a prebid site inspection, we concluded that the fact that BECO elected not to attend the scheduled inspection meant it must assume the attendant risks in formulating its bid, or choose not to bid at all.

Under our Bid Protest Regulations, 4 C.F.R. § 21.12(a) (1985), a request for reconsideration must contain a detailed statement of the factual and legal grounds upon which reversal or modification is warranted and must specify any errors of law made in the decision or information not previously considered. Information not previously considered refers to information which was overlooked by our Office or information to which the protester did not have

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access when the initial protest was pending. Tritan Corporation--Reconsideration, B-216994.2, Feb. 4, 1985, 85-1 C.P.D. ¶ 136. BECO's request merely reiterates statements it made in conjunction with its original protest and indicates its dissatisfaction with our decision by reasserting its allegation that it was unfair for the government to restrict the site visit to the date set in the IFB. BECO does not present any new facts which were not previously considered by our Office or which were not known to BECO at the time of its initial protest. Moreover, BECO has specified no error of law in our decision.

Accordingly, since BECO has provided no grounds for this Office to reconsider our prior decision, we dismiss the request.


for Harry R. Van Cleve
General Counsel