

When - PL



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: United Air Specialists, Inc.--Reconsideration

File: B-227929.2

Date: August 17, 1987

DIGEST

1. Reconsideration request that merely reiterates prior arguments is denied.
2. Protesters are charged with constructive notice of General Accounting Office Bid Protest Regulations, since the Regulations are published in the Federal Register (and are codified in the Code of Federal Regulations).

DECISION

United Air Specialists, Inc. (UAS), requests that we reconsider on decision, United Air Specialists, Inc., B-227929, July 28, 1987, 87-2 CPD ¶ _____, concerning the General Services Administration's (GSA) rejection of UAS' bid as late. We dismissed UAS' complaint that there was not enough proposal preparation time as untimely under our Bid Protest Regulations, 4 C.F.R. part 21 (1987), since it involved a perceived solicitation deficiency but was not raised before the closing date for receipt of offers. We further found that GSA properly rejected the offer as late, since the delay in receipt was caused by mishandling by the courier service UAS chose for the delivery.

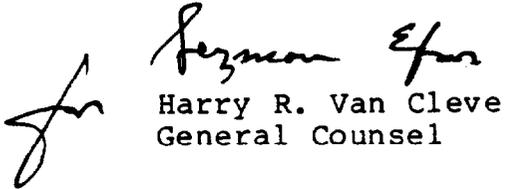
In requesting reconsideration, UAS reiterates its position that the proposal preparation period was inadequate. A restatement of arguments already presented and considered, however, does not meet the requirement in our Regulations that a reconsideration request specify errors of law in our decision or information not previously considered. See 4 C.F.R. § 21.12.

UAS also states that on the due date it called the contracting officer to explain its problem, and complains that he did not advise the firm of its protest rights and any attendant procedures. We point out, however, that since

039749

our Regulations are published in the Federal Register (and are codified in the Code of Federal Regulations), protesters are charged with constructive knowledge of their contents. See F.H. Stoltze Land & Lumber Co.--Request for Reconsideration, B-225614.2, Mar. 19, 1987, 87-1 CPD ¶ 313.

The reconsideration request is denied.


Harry R. Van Cleve
General Counsel