

PL



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: American Service Technology Inc.--
Reconsideration
File: B-228881.2
Date: November 24, 1987

DIGEST

Request for reconsideration is denied where it raises no factual or legal grounds other than those considered initially and indicates only disagreement with initial decision denying the protest.

DECISION

American Service Technology Incorporated (ASTI) requests reconsideration of our decision American Service Technology Inc., B-228881, Nov. 3, 1987, 87-2 C.P.D. ¶ ___, in which we denied ASTI's protest of the proposed award of a contract under invitation for bids (IFB) No. N62477-87-B-3139, issued by the Naval Air Station, Patuxent River, Maryland, for housing maintenance and repair services.

We deny the request.

ASTI, the fourth low bidder, protested that the IFB should have been canceled because no mention was made in the solicitation of the impending demolition of approximately 10 percent of the housing units which were covered by the solicitation's schedule of work. ASTI argued that failure to include this information in the IFB caused bidders to compete on an unequal basis because some were aware of the pending demolition and were able to use it to their advantage. ASTI offered no evidence to substantiate this allegation other than to point out that the three lower bidders did not attend the site visit where, according to ASTI, emphasis was placed on the high-cost expectation for maintenance and repair of the units scheduled for demolition.

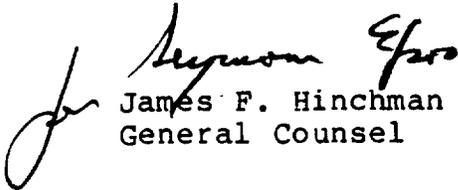
We ruled that a compelling reason did not exist to cancel the IFB after bid opening, since award under the IFB would meet the Navy's actual needs without prejudice to other bidders. We did not find a compelling reason to cancel

040704

because any impact of the demolition on the scope of work called for under the maintenance and repair IFB would be minimal and the record did not establish that bidders were prejudiced or failed to bid on a common basis.

In requesting reconsideration, ASTI merely reiterates its earlier argument that the bidders did not bid on a common basis because of the site visit, attended by all but the three lowest bidders, where, according to ASTI, emphasis was placed on the high maintenance and repair costs associated with the units later scheduled for demolition. As noted above, we already have concluded that this did not establish a sufficient reason to cancel.

ASTI's request for reconsideration raises no new factual or legal grounds. The request is therefore denied. See 4 C.F.R. § 21.12 (1987).


James F. Hinchman
General Counsel