



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** HH&K Builders--Request for Reconsideration  
**File:** B-232140.2  
**Date:** November 30, 1988

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### DIGEST

Request for reconsideration is denied where the protester has not shown any error of fact or law which would warrant reversal of prior decision.

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### DECISION

HH&K Builders requests reconsideration of our decision, HH&K Builders, B-232140, Oct. 20, 1988, 88-2 CPD ¶ \_\_\_\_\_, denying its protest of the rejection of its bid under invitation for bids (IFB) No. F32604-88-B0025, issued by the Air Force for family housing maintenance. HH&K's bid was rejected as nonresponsive because of that firm's failure to insert a bid price for a base year item for the completion of the work backlog at the time of contract commencement.

We found that HH&K's bid had been properly rejected as nonresponsive because of its failure to bid on all the required items. Further, we concluded that neither correction nor waiver of the omission was permissible because nothing in HH&K's bid indicated what the intended price would have been but for the omission.

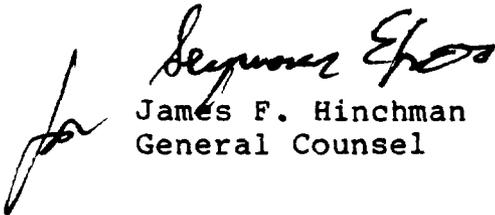
In its reconsideration request, the protester reiterates its **argument** that it intended to bid \$0 for the omitted item. **HH&K states** that its intended price for the item can be **established** from the face of its bid. In this regard, the **protester** points out that its total bid for the base year and the 4 option years is the sum of its prices for each of the years. HH&K thus concludes that its bid for the omitted item must have been \$0 in order for the yearly bids to equal its total bid. HH&K also argues that the agency could easily have separated this item from the solicitation and that, in any event, the amount of effort involved in performing the work represented by this item is negligible

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when compared to the total contract effort. The protester again notes the monetary savings that would accrue to the agency if the award were made to HH&K.

HH&K is essentially attempting to reargue its protest. We still find its position that its bid establishes a pattern which shows the amount it intended to bid for the omitted item to be unconvincing. Further, during our consideration of the original protest HH&K did not contest the agency's position that the omitted item was not divisible from the IFB requirements. We are not persuaded by its belated attempt to contest the agency's position that the completion of the existing work backlog pursuant to the omitted item was necessary for contract performance. Its final argument concerning the savings which would result from the acceptance of its bid is simply a repetition of an original protest ground.

Since HH&K merely disagrees with our decision, but presents no new argument or information establishing that our conclusion was legally or factually erroneous, we deny the request for reconsideration. Bid Protest Regulations, 4 C.F.R. § 21.12(a) (1988); W.H. Smith Hardware Co.--Request for Reconsideration, B-228576.2, Feb. 29, 1988, 88-1 CPD ¶ 207.



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