

*Maeder*



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** National Medical Staffing, Inc.--Request for  
Reconsideration

**File:** B-236562.4

**Date:** December 29, 1989

---

### DIGEST

To be considered, a request for reconsideration must indicate error of fact or law or information not previously considered that would warrant reversal or modification of a prior dismissal. The mere restatement of arguments previously considered, or mere disagreement with the dismissal does not meet this standard.

---

### DECISION

National Medical Staffing, Inc. (National), requests reconsideration of our dismissal of its protest concerning request for proposals (RFP) No. DADA11-89-R-0044 issued by the Department of the Army for dental assistant services at Fort Sam Houston, Houston, Texas. We dismissed the protest as involving a dispute concerning contract administration, an area generally outside the scope of the bid protest process.

We deny the request for reconsideration.

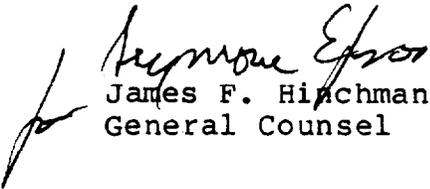
By letter dated November 1, 1989, and received by our Office on November 2, National filed a protest with our Office which appears to allege that the contracting agency had disavowed, or was not honoring its obligations under, the contract which it had awarded to the protester. In addition, the protester objected to the fact that its award price had been released to other offerors but that the Army had refused to release to the protester the prices of the other offerors. On November 2, we issued a notice dismissing this protest since it appeared to primarily concern a dispute concerning the administration of an existing contract and therefore was outside the scope of our bid protest process. See, Bid Protest Regulations, 4 C.F.R. § 21.3(m)(1) (1989).

047395/140306

On November 8, National retransmitted its November 1 letter, apparently because it had not yet received our November 2 dismissal notice. Although under the circumstances it may not have been necessary, by notice dated November 9, we again advised the protester that the protest was dismissed as a complaint concerning the performance of an existing contract. When National resubmitted the identical protest on November 15, still claiming to have received no response, we advised the protester that its protest had been dismissed; the reason for the dismissal; and that if the protester thought the dismissal was incorrect, it should request reconsideration by our Office in a letter indicating why the dismissal was considered to be incorrect. On November 24, the protester requested reconsideration in a letter otherwise similar in content to its previous letters.

To be considered, a request for reconsideration must indicate that our prior decision contained errors of fact or law or information not previously considered that warrants its reversal or modification. See 4 C.F.R. § 21.12(a); Apex Int'l Management Servs., Inc.--Request for Reconsideration, B-231715.3, Jan. 10, 1989, 89-1 CPD ¶ 19. The mere repetition of arguments made during the initial protest or disagreement with a decision does not meet this standard. Id.

Accordingly, the request for reconsideration is denied.

  
James F. Hinchman  
General Counsel