



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Interceptor Group Ltd., Inc.--
Reconsideration

File: B-239490.5

Date: April 19, 1991

Sergei C. Novak for the protester.
Linda C. Glass, Esq., and Michael R. Golden, Esq., Office of
the General Counsel, GAO, participated in the preparation of
the decision.

DIGEST

1. Request for reconsideration is denied where request contains no statement of facts or legal grounds warranting reversal but merely restates arguments made by the protester and previously considered by the General Accounting Office.
2. Proposal that agency properly finds technically unacceptable may be excluded from the competitive range without consideration of price.

DECISION

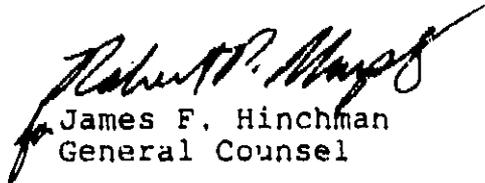
Interceptor Group Ltd., Inc. (IGL) requests that we reconsider our decision, Interceptor Group Ltd., Inc., B-239490.3, Dec. 4, 1990, 90-2 CPD ¶ 451. In that decision, we found reasonable the Department of the Army's exclusion of Interceptor's proposal from the competitive range under request for proposals (RFP) No. DAAA21-90-R-1018. We found that this decision was not the result of a biased evaluation by the agency, but was in accordance with the stated evaluation criteria. We also concluded that any challenge to the lack of specificity in the statement of work, filed after award, was untimely under 4 C.F.R. § 21.2(a)(1) (1990) of our Bid Protest Regulations. IGL disagrees with our decision that the agency's evaluation was proper and also argues that it timely protested unannounced changes in solicitation requirements which were only discovered at the debriefing after award.

Under our Bid Protest Regulations, to obtain reconsideration the requesting party must show that our prior decision contains either errors of fact or law or present information not previously considered that warrants reversal or modification of our decision. 4 C.F.R. § 21.12(a). IGL's repetition

of arguments made during our consideration of the original protest and mere disagreement with our decision does not meet this standard. R.E. Scherrer, Inc.--Recon., B-231101.3, Sept. 21, 1988, 88-2 CPD ¶ 274.

IGL also argues that we improperly failed to consider its allegation that the Army conducted an unreasonable cost analysis of its offer. Since we held in the prior decision that IGL was properly determined to be technically unacceptable, the propriety of the cost evaluation is irrelevant. A technically unacceptable offer may be excluded from the competitive range irrespective of its lower offered price. Federal Servs., Inc., B-235661, Aug. 28, 1989, 89-2 CPD ¶ 182.

The request for reconsideration is denied.


James F. Hinchman
General Counsel