



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Rosco International Corporation--
Reconsideration

File: B-244727.2

Date: August 30, 1991

Alan L. Rosen for the protester,
Katherine I. Riback, Esq., and John Brosnan, 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 fact or legal grounds warranting reversal but merely restates arguments made by the protester and previously considered by the General Accounting Office.
2. Request for reconsideration is denied when based on an argument that could have been but was not raised by protester in course of the original protest.

DECISION

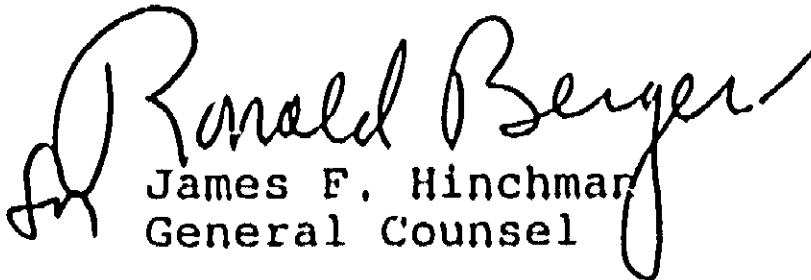
Rosco International Corporation requests that we reconsider our July 23, 1991, dismissal of its protest against an award to any other offeror under solicitation No. DLA760-91-Q-A157, issued by the Defense Logistics Agency. Rosco protested the rejection of its offer, based on an agency determination that the firm does not qualify as a manufacturer or regular dealer under the Walsh-Healey Act, 41 U.S.C. § 35-45 (1988). We dismissed Rosco's protest because our Office does not determine the legal status of a firm as a regular dealer or manufacturer within the meaning of the Walsh-Healey Act. By law, this determination is to be made by the contracting agency, subject to review by the Small Business Administration where a small business is involved, and the Secretary of Labor. The Pratt & Whitney Co., Inc.; Onsrud Mach. Corp., B-232190; B-232190.2, Dec. 13, 1988, 88-2 CPD ¶ 588.

We deny the request for reconsideration because while Rosco disagrees with our decision, it merely states arguments that it made previously, and sets forth a new protest basis that was available but was not submitted or argued in its initial protest.

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) (1991). Rosco'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.

Further, our Regulations do not permit a piecemeal presentation of evidence, information, or analyses, and where a party raises in reconsideration an argument that it could have but did not raise at the time of protest, the argument does not provide a basis for reconsideration. Marine Indus., Ltd.-- Recon., B-225722.2, June 24, 1987, 87-1 CPD ¶ 627.

The request for reconsideration is denied.


James F. Hinchman
General Counsel