



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Lewis County Board of Legislators--
Reconsideration

File: B-251329.4

Date: January 5, 1993

DIGEST

General Accounting Office will not consider information offered to establish interested party status that is first presented in request for reconsideration of decision dismissing protest because protester was not an interested party since protester is obligated to provide such information when filing the protest..

DECISION

The Lewis County Board of Legislators requests reconsideration of our November 17, 1992, dismissal of its protest of the terms of solicitation No. 670-01-93 issued by the Department of Veterans Affairs for medical services. We dismissed the protest because the County Board did not identify itself as an actual or prospective supplier of medical services and therefore was not an "interested party" entitled to file a protest with our Office. 31 U.S.C. §§ 3551-3556 (1988); Bid Protest Regulations, 4 C.F.R. § 21.0(a) (1992).

On reconsideration, the County Board states that it governs the publicly-owned Lewis County General Hospital and therefore is an interested party for this procurement.

We deny the request for reconsideration.

A protest must set forth a detailed statement of the legal and factual grounds of protest. 4 C.F.R. § 21.1(c)(4). Since a protest may be considered only if it is filed by an interested party, 4 C.F.R. § 21.1(a), this detailed statement requirement necessarily encompasses information bearing on the protester's interested party status. Robert Wall Edge--Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335.

The County Board's protest submission did not in any way indicate how this local legislative body might be an interested party. The protest simply referred to "Mercy Center," another protester on this procurement, and appeared

to be a statement of support for Mercy Center's ability to meet the agency's needs.

The County Board now refers to its governance of Lewis County General Hospital. We will not now consider that information. A protester whose interested party status is not clear is required to provide the information to establish that status at the time of initial protest filing. A protester that fails to do so runs the risk of dismissal; once we dismiss a protest for that reason, we will not consider information regarding interested party status first provided in a reconsideration request that the protester could have provided initially, since that would permit a protester to furnish material information in a piecemeal fashion and possibly cause extended disruption of the procurement process. Robert Wall Edge--Recon., supra; RC 27th Ave. Corp.--Recon., B-246787.2, May 20, 1992, 92-1 CPD ¶ 455.

Accordingly, there is no basis for us to reconsider the dismissal.



Ronald Berger
Associate General Counsel