



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Moore Heating & Plumbing, Inc.--Second
Reconsideration

File: B-254024.3

Date: February 2, 1994

DIGEST

Where protester is in possession of facts that would establish the timeliness of its request for reconsideration, but does not include this information in the request, the General Accounting Office will not consider such information on a second request for reconsideration filed after the first request is denied because it appeared to be untimely.

DECISION

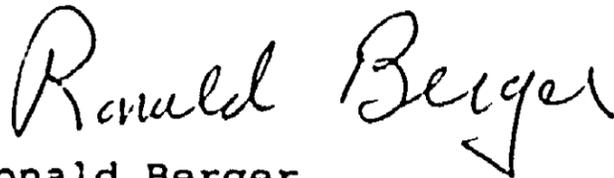
Moore Heating & Plumbing, Inc. requests reconsideration of our decision in Moore Heating & Plumbing, Inc.--Recon., B-254024.2, Dec. 27, 1993, in which we denied its request for reconsideration of our decision in Moore Heating & Plumbing, Inc., B-254024, Nov. 16, 1993, 93-2 CPD ¶ ____, denying its protest against certain drawings and specifications of invitation for bids No. F28609-93-BA018, issued by the Department of the Air Force. We denied the reconsideration request on the basis that it was not filed within 10 working days of the date the requester knew the basis for the request, as required by our Bid Protest Regulations, 4 C.F.R. § 21.12(b) (1993).

Moore's first request for reconsideration was filed in our Office on December 21, 1993. We viewed that filing as untimely because, in the absence of affirmative evidence to show otherwise, we assumed that Moore received the November 16 decision within 1 calendar week of its issuance. See Caelus Devices, Inc., B-251336.3, Dec. 14, 1990, 90-2 CPD ¶ 491; Adrian Supply Co.--Recon., B-225472.3, Mar. 23, 1987, 87-1 CPD ¶ 328.

Moore now states for the first time that it actually received our November 16 decision on December 9 and that its December 21 request for reconsideration therefore was not untimely. We do not permit this type of piecemeal presentation of information. Just as protesters must provide with their initial submissions any pertinent information in their possession to establish the timeliness

of their protests, 4 C.F.R. § 21.2(b); United Terex, Inc.--Recon., B-243989.2, June 24, 1991, 91-1 CPD ¶ 599; Global Crane Institute--Recon., B-218120.2, May 28, 1985, 85-1 CPD ¶ 606, and their interested party status when that would otherwise not be apparent from the protest itself, Robert Wall Edge--Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335; RC 27th Avenue Corp.--Recon., B-246727.2, May 20, 1992, 92-1 CPD ¶ 455, so, we think, must they provide information with their reconsideration requests establishing the timeliness of these requests. Moore therefore should have included in its initial request for reconsideration information establishing that its received our November 16 decision more than 3 weeks after the decision date. In the absence of such information, we properly viewed the reconsideration request as untimely filed.

Accordingly, the second request for reconsideration is denied.



Ronald Berger
Associate General Counsel