



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter Of:** Midwest Contracting, Inc.—Reconsideration

**File No.:** B-259374.2

**Date:** January 5, 1995

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### DECISION

Midwest Contracting, Inc. requests reconsideration of our decision of November 30, 1994, dismissing its protest of the rejection of its bid by the Department of the Air Force under solicitation No. F26600-94-B-0133.


Midwest's original protest letter contained only three brief sentences, stating that it was "formally submitting a protest of the wrongful rejecting of the referenced bid . . . Please consider [this letter] to be our formal notice of protest." Midwest provided no further allegations or supporting documentation. We dismissed the protest because it did not include sufficient factual information to establish the likelihood that the agency violated applicable procurement laws or regulations.

On reconsideration, Midwest contends that we should consider the protest on the merits and not on the fact that "this pro-se litigant was not fully aware of the requirements needed to file its original protest." Midwest, for the first time on reconsideration, states a basis for its protest, that it allegedly was improperly found to be nonresponsible.

A protester cannot for the first time on reconsideration raise issues or provide support for some general assertion made in its initial protest; we do not permit this type of piecemeal presentation of information. Moore Heating & Plumbing, Inc.—Second Recon., B-254024.3, Feb. 2, 1994, 94-1 CPD ¶ 65. As a matter of law, protesters are not excused from initially complying with the protest regulations, which require the submission of the sufficiently detailed statement of the grounds for protest. The regulations are published in the Federal Register and Code of Federal Regulations and protesters by law are charged with constructive notice of their contents. Domation, Inc., B-228221, Sept. 28, 1987, 87-2 CPD ¶ 311.

Midwest's protest, with its basis of protest first presented in this request for reconsideration, is untimely. Midwest was aware of its basis for protest not later than November 9; Midwest's reconsideration submission, filed on December 20, does not satisfy the requirement to file a protest within 10 working days of when the basis for protest was known. See 4 C.F.R. § 21.2(a)(2).

The request for reconsideration is denied.

  
Ronald Berger  
Associate General Counsel