

DOCUMENT RESUME

02994 - [A2013088]

[Request for Reconsideration of Nonresponsibility Determination]. B-188792. Jijy 14, 1977. 2 pp.

Decision re: Mainline Carpet Specialists, Inc.; by Paul G. Dembling (for Elmer B. Staats, Comptroller General).

Issue Area: Federal Procurement of Goods and Services (1900).
Contact: Office of the General Counsel: Procurement Law II.
Budget Function: General Government: Other General Government (806).

Organization Concerned: General Services Administration.
Authority: B-187574 (1977). B-187970 (1977). 4 C.F.R. 20.9(a).

Request was made for reconsideration of a decision declining to consider protest of nonresponsibility determination. Request for reconsideration was denied as bidder failed to show that prior decision was factually or legally erroneous. (Author, DJM)

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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-188792

DATE: July 14, 1977

MATTER OF: Mainline Carpet Specialists, Inc.--Reconsideration

DIGEST:

Request for reconsideration of decision declining to consider protest of nonresponsibility determination is denied where it is not shown that prior decision was factually or legally erroneous.

Mainline Carpet Specialists, Inc. (Mainline) has requested reconsideration of decision B-188792, June 8, 1977, 77-1 CPD ____, in which we declined to consider Mainline's protest of the General Services Administration's determination that Mainline was not a responsible bidder. Our decision was based on the refusal of the Small Business Administration (SBA) to issue a certificate of competency (COC) to Mainline for the procurement in question.

It is the policy of this Office not to review a contracting officer's determination of nonresponsibility of a small business concern where that determination has been affirmed by the SBA's denial of a COC. Only where there is a prima facie showing of fraud or where the record discloses that vital information has not been considered will we review the matter or take other appropriate action. JBS Construction Co., B-187574, January 31, 1977, 77-1 CPD 79.

In its request for reconsideration, Mainline reiterates its previous contention that a Government quality assurance inspector did not inspect its subcontractor's facilities, and further asserts that the SBA denied a COC without making a technical or financial evaluation of the firm. We are advised by SBA, however, that it denied the COC because Mainline's application was submitted in the name of a joint venture while the bid was submitted only in the name of Mainline.

Our Bid Protest Procedures state that a " * * * request for reconsideration shall contain a detailed statement of the factual and legal grounds upon which reversal or modification

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is deemed warranted, specifying any errors of law made or information not previously considered." 4 C.F.R. § 20.9(a) (1977). Mainline has presented no new information or legal arguments which would warrant reconsideration of our prior decision. P. J. Gear & Son, Inc., B-187970, March 25, 1977, 77-1 CPD 213. Consequently, we must decline to reconsider this matter.

Paul G. Bunting
For the Comptroller General
of the United States