

DOCUMENT RESUME

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[Request for Reconsideration of Dismissal of Protest against Contract Cancellation]. B-192919. December 4, 1978. 2 pp.

Decision re: Government Marketing Services, Inc.; by Robert P. Keller, Deputy Comptroller General.

Contact: Office of the General Counsel: Procurement Law II.

Organization Concerned: Federal Supply Service.

Authority: B-188905 (1978).

A company requested reconsideration of the dismissal of its protest against deletion of an item from its contract. The prior dismissal on the basis that the protest involved contract administration was affirmed since no error of fact or law was demonstrated. (HTW)

DECISION



J. Lewellen
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548
P.L.

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FILE: B-192919

DATE: December 4, 1978

MATTER OF: **Government Marketing Services, Inc. - Request for Reconsideration**

DIGEST:

Request for reconsideration is denied where protester does not show error of fact or law in prior decision.

Government Marketing Services, Inc. (GMS) requests reconsideration of our decision in Government Marketing Services, Inc., B-192919, October 3, 1978, 78-2 CPD 255, in which we dismissed its protest of the deletion of all hand held calculator models from its multiple award schedule contract (GS-005-66672) with the General Services Administration, Federal Supply Service. The protest was dismissed because the cancellation, which was pursuant to a contract clause which provided that either party to the contract could cancel upon 60 days notice, involved a matter of contract administration not subject to resolution under our Bid Protest Procedures.

GMS argues that the dismissal was incorrect since our Office did not have all the pertinent information before it. This information, which GMS has submitted, consists of GSA documents which in general support the GSA multiple award schedule system and purport to show that the schedule is the most cost effective method of purchasing these items. In addition GMS contends that GSA had no reason to cancel its contract other than to respond to newspaper publicity and claims that individual procurements of these items will be more costly and will violate GSA "rules and regulations".

GMS's arguments either deal with the merits of the cancellation or are aimed at connecting the cancellation to possible future procurements of these items. GMS has not presented evidence demonstrating any error of fact or law in our original determination that

this matter involves contract administration. Thus we find there is no basis for our reconsidering this matter. CDI Marine Company - Request for Reconsideration, B-188905, January 5, 1978, 78-1 CPD 5.

Accordingly, our prior dismissal is affirmed.

R.T.K.114.
Deputy Comptroller General
of the United States