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PL-1
Mr. Hasfurther

DECISION



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

[Request for Reconsideration of Untimely Protest]

FILE: B-196959.2

DATE: April 7, 1980

MATTER OF: Garrison Construction Company,
Inc.--Reconsideration

DIGEST:

Where protester merely reiterates prior arguments and does not indicate any error of fact or law in prior decision holding protest to be untimely, request for reconsideration is denied.

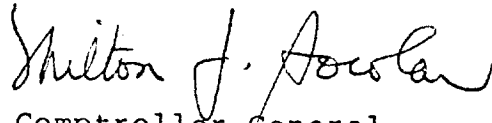
In our decision in Garrison Construction Company, Inc., B-196959, February 26, 1980, 80-1 CPD 159, we found the Garrison Construction Company, Inc. (Garrison), protest under United States Forest Service invitation for bids No. R5-80-01 to be untimely filed and, therefore, not for consideration. Garrison protested initially to the contracting agency that its bid should not be rejected for its failure to acknowledge an invitation amendment because the amendment had never been received and, in any event, had no effect on the price bid. The agency denial of the protest specifically addressed the validity of the Garrison arguments. Garrison filed its protest with our Office more than 10 working days after receipt of the agency denial.

Garrison now requests our Office to reconsider our decision on the basis that the lateness in the filing with our Office made no difference because the Forest Service was aware that the rejection was a mistake and that no change in Garrison's bid price would have occurred even if Garrison received and acknowledged the amendment.

The contentions raised by Garrison in the request for reconsideration go to the merits of the protest and were part of the record upon which our decision was based. Since Garrison has presented no evidence demonstrating any error of fact or law in the holding that the protest was untimely, we find no basis to reconsider the decision. Eglen Hovercraft, Incorporated--Reconsideration, B-193050, March 14, 1979, 79-1 CPD 179.

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Accordingly, the prior decision is affirmed.

A handwritten signature in cursive script, reading "Milton J. Fowler". The signature is written in dark ink and is positioned above the typed name.

For The Comptroller General
of the United States