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DECISION



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

FILE: B-203523.2

DATE: May 10, 1982

MATTER OF: Bilson International, Inc. -- Request for
Reconsideration

DIGEST:

Prior decision will not be reconsidered when the protester registers disagreement with that decision but does not specify factual or legal grounds warranting its modification or reversal.

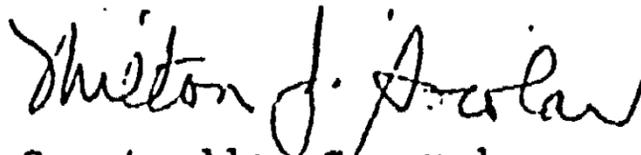
Bilson International, Inc. requests reconsideration of our decision, Bilson International, Inc., B-203523, March 8, 1982, 82-1 CPD 206, dismissing its protest of the specification contained in IFB No. AFCE-B3-7002-A, issued by the General Services Administration to procure ear plugs for the Forest Service and other Federal agencies. We dismissed the protest as untimely because Bilson had not filed its protest within ten days of the agency's initial adverse action; the opening of bids in the face of the Bilson's protest.

Bilson continues to maintain that timeliness should be determined by the date of its receipt of the General Services Administration's letter of May 18, 1982, substantively replying to Bilson's protest. Bilson argues that because its earlier protest letters expressly asked that no action be taken by GSA to award the contract, and because GSA had indicated that it would reply further to Bilson's protest, the protester was "lulled" into believing that its request for a delay in the bid opening had been granted. Bilson maintains that it was therefore "unaware that its requests had as a practical matter already been denied in part" when it received GSA's reply on May 26.

Bilson, however, has not questioned our conclusion that prospective bidders, including it, had notice of both the original bid opening date

of April 9 and the amended bid opening date of April 24. For this reason, until such time as Bilson received an amendment or other communication further extending bid opening or canceling the solicitation, we cannot agree with Bilson that it was reasonable for it to assume the bid opening would be delayed. GSA only stated that it would "obtain necessary information * * * to reply to portions of your request." It never stated that bid opening would be delayed or contract award postponed.

Moreover, section 21.9(a) of our Bid Protest Procedures, 4 C.F.R. § 21.9(a)(1981), requires that a request for reconsideration contain a detailed statement of the factual or legal grounds which warrant reversal of our prior decision. In its March 12 letter to our Office, Bilson registered strong disagreement with our ruling on its protest. It did not, however, submit any facts, arguments, or points of law which were not previously considered in our review of the record of this procurement. Therefore, Bilson's request provides no basis for reconsideration of the matter. See Pascual Maggio - Reconsideration, B-203461.2, September 28, 1981, 81-2 CPD 253.



for the Comptroller General
of the United States