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DECISION



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

FILE: B-218707.2

DATE: May 13, 1985 ..

MATTER OF: Trim Parts, Inc.--
Reconsideration

DIGEST:

Request for reconsideration is dismissed where request does not contain a detailed statement of the factual and legal grounds upon which reversal is deemed warranted, specifying any error or law made or information not previously considered.

Trim Parts, Inc. (Trim Parts), requests reconsideration of our dismissal of its protest concerning the award of a contract under invitation for bids (IFB) No. DAAA09-84-B-0905, issued by the Army Materiel Command.

We dismiss the request for reconsideration.

Trim Parts, the second low bidder under the IFB, protested that Great Divide Mfg. Co., the apparent low bidder, would be unable to satisfactorily perform the contract due to that firm's inexperience and "unsound" financial position. We dismissed the protest since this matter concerns the type of agency affirmative determination of a bidder's responsibility which we will not review. See § 21.3(f)(5) of our Bid Protest Regulations, 4 C.F.R. § 21.3(f)(5) (1985); Gulf Coast Defense Contractors, Inc., B-212641, Feb. 28, 1984, 84-1 C.P.D. ¶ 243. Our reason for not reviewing such responsibility determinations is that they are based upon the subjective business judgment of procuring officials and thus not readily susceptible to reasoned review. United Contract Services, Inc., B-209941, May 24, 1983, 83-1 C.P.D. ¶ 560.

In its reconsideration request, Trim Parts simply asks that we reconsider our dismissal. However, this Office will not consider any request for reconsideration which does not contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted, specifying any errors of law made or information not previously considered. See § 21.12(a) of our Bid Protest Regulations, 4 C.F.R. § 21.12(a) (1985).

Finally, Trim Parts states that it protested to the contracting agency that Great Divide's bid is non-responsive. In this regard, we point out that:

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". . . If a protest has been filed initially with the contracting agency, any subsequent protest to the General Accounting Office filed within 10 days of formal notification of or actual or constructive knowledge of initial adverse agency action will be considered, provided the initial protest to the agency was filed in [a timely manner] . . ." See § 21.2(a)(3) of our Bid Protest Regulations, 4 C.F.R. § 21.2(a)(3) (1985).

Further, to be regarded as a protest to GAO, the communication should specifically request a ruling by the Comptroller General. See § 21.1(a) of our Bid Protest Regulations, 4 C.F.R. § 21.1(a) (1985).



Robert M. Strong
Deputy Associate General Counsel