



The Comptroller General  
of the United States

Washington, D.C. 20548

*Martin*

## Decision

Matter of: Meyer Tool & Mfg., Inc.

File: B-222595.3

Date: July 15, 1986

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### DIGEST

A request for reconsideration of a decision dismissing a protest is denied where the protester does not show that the prior decision was factually or legally incorrect in holding that the protester's bid was properly rejected as nonresponsive because the delivery period stated in the bid, although alleged to be in error, exceeded that required by the invitation for bids.

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### DECISION

Myer Tool & Mfg, Inc. (Meyer) requests reconsideration of our dismissal of its protest against the Defense Nuclear Agency's rejection of its bid as nonresponsive under invitation for bids (IFB) No. DNA002-86-B-0007. Meyer's bid was rejected because it proposed a 210-day delivery schedule, rather than the maximum specified 180-day schedule. Meyer Tool & Mfg., Inc., B-222595, June 9, 1986, 86-1 CPD ¶ \_\_\_\_.

Under our Bid Protest Regulations, 4 C.F.R. § 21.12(a) (1986), a request for reconsideration must contain a detailed statement of the factual and legal grounds upon which reversal or modification is warranted and must specify any errors of law made in the decision or information not previously considered. Information not previously considered refers to information which was overlooked by our Office or information to which the protester did not have access when the initial protest was pending. The W.H. Smith Hardware Company--Reconsideration, B-219327.5, Oct. 30, 1985, 85-2 CPD ¶ 488. Meyer has presented no information that could justify a reversal or modification of our decision.

Meyer points to its past timely deliveries on other contracts and to its standard practice of designating in its bids a delivery date within the time periods required by the solicitations. Meyer asserts that this is substantial evidence to support its allegation that the 210-day delivery period it inserted was due to clerical error.

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Our decision did not dispute the potential mistake in Meyer's bid. We noted, however, that a delivery date that does not conform to the requirements of the IFB renders the bid nonresponsive and that the delivery date may not be corrected since the rules governing mistakes in bids apply only to those errors that do not affect the responsiveness of a bid. Thus, Meyer's bid cannot be corrected even though the time for delivery stated in the bid may have been due to clerical error.

The request for reconsideration is denied.

*for* *Lyman E. Fros*  
Harry R. Van Cleve  
General Counsel