



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Inter-Continental Equipment, Inc.--  
Reconsideration  
File: B-230266.3  
Date: April 6, 1988

### DIGEST

1. The General Accounting Office Bid Protest Regulations do not permit a piecemeal presentation of evidence, information, or analyses. Where a party submits in its request for reconsideration an argument that it could have presented at the time of the protest, but did not, the argument does not provide a basis for reconsideration.

2. Dismissal of protest is affirmed where protester has not shown that government officials failed to consider vital information bearing on the protester's responsibility when refusing to issue a certificate of competency.

### DECISION

Inter-Continental Equipment, Inc. (ICE) requests that we reconsider our decision in Inter-Continental Equipment, Inc., B-230266, Mar. 4, 1988, 88-1 CPD ¶ \_\_\_\_\_, in which we dismissed its protest against the contracting officer's determination of nonresponsibility and the Small Business Administration's (SBA's) subsequent refusal to issue a certificate of competency (COC).

The Army and subsequently the SBA found ICE nonresponsive because they concluded that ICE had not complied with the Cargo Preference Act of 1904, 10 U.S.C. § 2631 (1982). We dismissed the protest because ICE did not make out a sufficient case that government officials might have acted fraudulently or in bad faith in refusing to issue the COC.

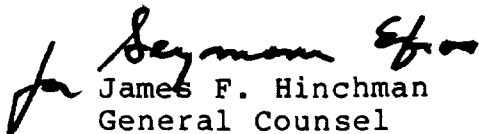
In its request for reconsideration, ICE argues for the first time that the contracting officer and the SBA did not consider vital information bearing on the firm's responsibility. This vital information, ICE states, is its explanation concerning alleged noncompliance with the Cargo Preference Act during its contracts with the Navy.

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Our Bid Protest Regulations do not permit a piecemeal presentation of evidence, information, or analysis. Where, as here, a party submits in its request for reconsideration an argument that it could have presented at the time of the protest, but did not, the argument does not provide a basis for reconsideration. Joseph L. De Clerk and Associates, Inc.--Reconsideration, B-221723.2, Feb. 26, 1986, 86-1 CPD ¶ 200.

In any event, we note that in its original protest submission ICE submitted documents in which the SBA stated that in its investigation of ICE's responsibility it requested ICE to submit letters supporting the firm's compliance with the Cargo Preference Act. ICE did, in fact, submit a letter, which the SBA found did not adequately establish ICE's compliance with the Act. Thus, ICE knew of the allegations of noncompliance, and was given the opportunity to respond. The burden was on the contractor to submit all relevant information proving it is responsible when applying to the SBA for a COC. See AquaSciences International, Inc.--Request for Reconsideration, B-225452.2, Feb. 5, 1987, 87-1 CPD ¶ 127. Accordingly, the record suggests that ICE had the opportunity to submit its explanation to the SBA and that the SBA did consider all vital information bearing on ICE's responsibility that was submitted to it.

The dismissal is affirmed.

  
James F. Hinchman  
General Counsel