



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Eastern Technologies, Incorporated--Request for  
Reconsideration  
File: B-232198.2  
Date: September 13, 1988

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### DIGEST

Request for reconsideration of decision dismissing protest which principally concerned size status protests filed with Small Business Administration is denied where protester merely reiterates original arguments and does not show that prior decision was based on error of fact or law.

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### DECISION

Eastern Technologies, Incorporated requests reconsideration of our decision, Eastern Technologies, Inc., B-232198, Aug. 24, 1988, 88-2 CPD ¶       , dismissing Eastern's protest of the award of a contract to Phillips Industrial Services Corporation under request for proposals (RFP) No. N00612-87-R-0108, issued by the Navy for sandblasting and painting services for ships and submarines at the Charleston Naval Shipyard. We deny the request for reconsideration.

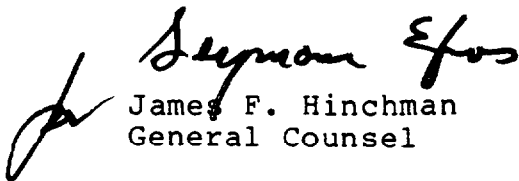
Eastern was the apparent low offeror under the RFP, a total small business set-aside. Based on protests filed by Phillips and the contracting officer challenging Eastern's size status, the Small Business Administration (SBA) ultimately found that Eastern did not qualify as a small business for purposes of this procurement. The contracting officer then made award to Phillips, the offeror next in line for award.

Eastern's protest to our Office principally concerned the size status protests filed with SBA. As we explained in our prior decision, our Office neither makes nor reviews size status determinations, which are committed by statute to SBA. With regard to Eastern's other contentions, we found that they were either untimely or without merit, or concerned issues which Eastern was not an interested party to raise.

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In its request for reconsideration, Eastern merely reiterates two of the arguments raised in the initial protest. We have reviewed our decision in light of Eastern's reconsideration request and we do not find that our decision was based on an error of fact or law. Accordingly, we see no basis to disturb our decision. See Bid Protest Regulations, 4 C.F.R. § 21.12(a) (1988); A&E Industries, Inc., et al.--Reconsideration, B-226997.8, et al., Aug. 17, 1987, 87-2 CPD ¶ 163.

The request for reconsideration is denied.

  
James F. Hinchman  
General Counsel