



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Speco Corporation
File: B-232553.2
Date: November 4, 1988

DIGEST

Request for reconsideration that basically only reiterates previously-rejected arguments does not warrant reversal of the prior decision.

DECISION

Speco Corporation requests reconsideration of our dismissal of its protest in Speco Corp., B-232553, Sept. 28, 1988, 88-2 CPD ¶ 297, concerning the award of a contract for housing assemblies under request for quotations (RFQ) No. DAAJ09-88-Q-1566, issued by the Army Aviation Systems Command. We affirm the dismissal.

The RFQ stated that award would be made to the proposer or combination of proposers offering the best delivery at the lowest aggregate price. In its protest, Speco argued that the "best delivery" factor required the Army to evaluate quotations not only in terms of dates but also by ability to meet those dates.

Our prior decision disagreed, explaining that under the evaluation criteria, the Army sought to award the contract to the firm that could deliver at the earliest time for the lowest price. We stated that whether the awardee could perform the contract in accordance with the delivery schedule was a matter of responsibility, which we do not review except in certain circumstances not applicable in this case. Agema Infrared Systems, B-222623, June 4, 1986, 86-1 CPD ¶ 524; 4 C.F.R. § 21.3(m)(5) (1988).

In its request for reconsideration Speco interprets our prior decision as stating that the Army's urgent need for the housing assemblies was the only evaluation factor in the

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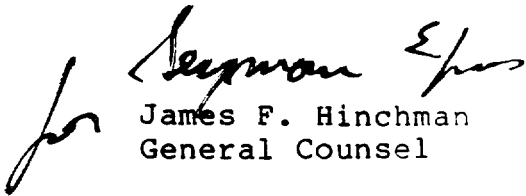
RFQ. Speco alleges that this is a "mistake of fact," and again argues that the Army should have evaluated the quotations according to the best price and the ability to deliver.

Our decision stated that the RFQ's evaluation criteria was clearly price and best delivery and that we considered Speco's argument that "best delivery" meant more than best delivery date offered to be without merit. Speco's repetition of this argument shows that it simply disagrees with the conclusion in our prior decision. Mere disagreement or reiteration of previously rejected positions does not provide a basis for reconsideration. Sony Corporation of America--Reconsideration, B-225512.3, Apr. 10, 1987, 87-1 CPD ¶ 397. We therefore will not address this argument again.

Speco's reconsideration request further argues that we misinterpreted Speco's protest grounds, deciding the issue to be one of the responsibility of the awardee, rather than the issue of the Army's failure to evaluate the quotations in accordance with the evaluation factors in the RFQ. Speco again repeats its original protest argument that "best delivery" required the Army to evaluate the quotations to decide whether the delivery dates were realistic.

Our original decision concluded, however, that the Army evaluation was in accordance with the RFQ, since the Army was not required to evaluate beyond the price and delivery schedule offered, contrary to Speco's interpretation. Accordingly, since this argument was considered in our previous decision, it does not provide a basis for reconsideration. Sony Corp., B-225512.3, supra.

The request for reconsideration is denied.


James F. Hinchman
General Counsel