



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Development Assistance Corporation--Request for
Reconsideration

File: B-238283.2

Date: February 20, 1990

Singleton B. McAllister, Esq., Reed, Smith, Shaw & McClay,
for the protester.
M. Penny Ahearn, Esq. and John M. Melody, Esq., Office of
the General Counsel, GAO, participated in the preparation of
the decision.

DIGEST

Request for reconsideration is denied where supporting
arguments are based upon information which was previously
available to the protester, but not presented during
consideration of the initial protest.

DECISION

Development Assistance Corporation (DAC) requests reconsi-
deration of our January 11, 1990, summary dismissal of the
firm's protest against the Agency for International
Development's (AID's) award of a Small Business Administra-
tion (SBA) section 8(a) program subcontract to Health
Systems Marketing & Development Corporation. Section 8(a)
of the Small Business Act, 15 U.S.C. § 637(a) (1988),
authorizes the SBA to enter into contracts with government
agencies and to arrange for the performance of such
contracts by letting subcontracts to socially and economi-
cally disadvantaged small business concerns.

We affirm the dismissal.

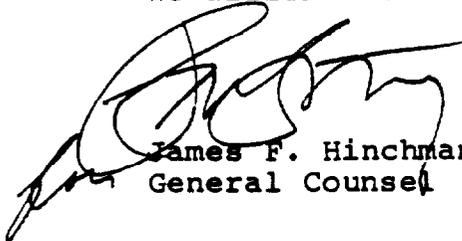
We dismissed the protest pursuant to our Bid Protest
Regulations, which provide that we will not consider a
protest challenging a decision to procure under the 8(a)
program absent a showing of possible fraud or bad faith on
the part of government officials or that specific laws or

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regulations have been violated. 4 C.F.R. § 21.3(m)(4) (1989). We limit our review under the section 8(a) program because by the terms of the Small Business Act contracting officers are given broad discretion to let contracts to the SBA upon such terms and conditions as agreed to by the agency and the SBA. See PECO Enters., Inc., 68 Comp. Gen. 130 (1988), 88-2 CPD ¶ 566. In its original protest filed with our Office, DAC alleged that there was bad faith on the part of contracting officials and that regulations had been violated, but failed to identify any acts of bad faith or cite any laws or regulations which may have been violated. This broad assertion was not sufficient to invoke our review.

In its reconsideration request, DAC specifically alleges for the first time that the release of certain procurement sensitive information by a DAC competitor to a prospective 8(a) subcontractor on October 13, 1988, was prejudicial to DAC and may have resulted from bad faith on the part of AID officials and may have violated procurement integrity statutes. DAC does not indicate why the information it now presents in support of its previous arguments was not submitted in its original protest, but we will not grant a reconsideration on the basis of such previously available information; a protester who fails to submit all relevant information in its initial protest does so at its own peril, since it is not the function of this Office to investigate general allegations raised in the protest record. GMI Indus., Inc.--Request for Recon., B-231998.2, Mar. 23, 1989, 89-1 CPD ¶ 297. In any case, DAC's reconsideration request merely speculates that the agency might have acted improperly. There is no evidence that AID ever disclosed information to only one potential 8(a) subcontractor; indeed, DAC's own submission alleges that a competitor, not AID, disclosed the complained of information.

We affirm the dismissal.



James F. Hinchman
General Counsel