



Comptroller General
of the United States

914118

Washington, D.C. 20548

Decision

Matter of: MVM, Inc.--Reconsideration

File: B-255483.6

Date: September 2, 1994

DECISION

MVM, Inc. requests reconsideration of our decision in MVM, Inc.; Burns Int'l Sec. Svcs., B-255483.4, et al. Apr. 26, 1994, 94-1 CPD ¶ 279, denying its protest of the award of a firm, fixed-price, indefinite quantity contract to General Security Services Corporation (GSSC) under request for proposals (RFP) No. MS-93-R-0032, issued by the Department of Justice, United States Marshals Service, for court security services in the 11th Judicial Circuit.

We deny the request for reconsideration because the request provides no basis for reconsidering our prior decision.

The protester in essence repeats arguments it made previously and expresses disagreement with our decision. Under our Bid Protest Regulations, to obtain reconsideration, the requesting party must show that our prior decision may contain either errors of fact or law or present information not previously considered that warrants reversal or modification of our decision. 4 C.F.R. § 21.12(a) (1994). The repetition of arguments made during our consideration of the original protest and mere disagreement with our decision do not meet this standard. R.E. Scherrer, Inc.--Recon., B-231101.3, Sept. 21, 1988, 88-2 CPD ¶ 274.

For example, MVM protested that GSSC's proposal did not comply with the Cost Accounting Standards (CAS) because GSSC's fixed prices for each judicial district allegedly do not reflect the costs to be incurred in that district. In rejecting the protester's argument, we found that the CAS does not require an offeror's proposed fixed prices to encompass estimated performance costs. As stated in our prior decision, the CAS requirements are designed to ensure that a CAS-covered contractor consistently follows its cost accounting practices in accumulating and reporting any cost data, see Federal Acquisition Regulation § 52.230-2, not

that the contractor base its pricing on a particular allocation of costs.

The protester objects to our conclusion as follows:

"This is wrong, wrong, wrong. The whole point of cost accounting is consistency in allocation. That is why the cost accounting standards exist. That is the purpose."

MVM does not support this proposition, other than to reproduce arguments previously made in its initial protest and to express disagreement with our decision. Moreover, much of MVM's analysis (e.g., whether or not this contract is CAS covered and whether the agency could waive CAS coverage) is irrelevant because the CAS does not require any particular pricing on a competitive contract.

MVM also disagrees with our conclusion that the Marshals Service properly calculated MVM's evaluated total price to include various items of work that the protester admittedly omitted from its proposed total price. Our Office corroborated the agency's price evaluation by independently calculating MVM's overall price, applying the agency's estimated quantities by each unit price in MVM's proposal. MVM has never done so, either in its initial protest or now, notwithstanding that its counsel was admitted to a protective order issued by our Office and received all relevant evaluation documentation to permit such a price calculation. MVM's mere disagreement with our conclusion provides no basis for reconsidering our prior decision.

The request for reconsideration is denied.

Ronald Berger

fr Robert P. Murphy
Acting General Counsel