



Decision

Matter of: z SofTech Solutions, Inc.--Reconsideration

File: B-423306.22

Date: July 8, 2026

Leticia Alexander, for the protester.
Jennifer L. Howard, Esq., and Stephen T. O’Neal, Esq., National Aeronautics and Space Administration, for the agency.
Heather Self, Esq., and Peter H. Tran, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Request for reconsideration of prior decision is dismissed where requester repeats arguments made in original protest, misunderstands or disagrees with our decision in the original protest, and relies on an incorrect statement of our regulations.

DECISION

z SofTech Solutions, Inc., a small business of Atlanta, Georgia, requests reconsideration of our decision in z *SofTech Solutions, Inc.*, B-423306.9, B-423306.16, Apr. 3, 2026, in which we dismissed its protest challenging the firm’s elimination from the competition under request for proposals (RFP) No. 80TECH24R0001, issued by the National Aeronautics and Space Administration (NASA), for information technology products, cloud solutions, cybersecurity, and related services. z SofTech argues our decision improperly dismissed its protest in part as untimely and in part for failing to provide a factually and legally valid basis of protest.

We dismiss the request for reconsideration.

BACKGROUND

On May 23, 2024, NASA issued the solicitation for the Solutions for Enterprise-Wide Procurement (SEWP) VI, a governmentwide acquisition contract, across three categories of requirements (A, B, and C). RFP at 117.¹ The solicitation provided for the

¹ Our citations use the PDF pagination of documents in the record. Except for the request for reconsideration (Req. for Recon.), references to documents and the Electronic Protest Docketing System (Dkt.) are to the record in the underlying protest.

submission of proposals in three volumes--offer, past performance, and mission suitability--and established a phased evaluation process for the three volumes: phase one (offer volume); phase two (past performance volume); and phase three (mission suitability volume). *Id.* at 96, 118-123. Upon completion of each phase, the agency would notify an offeror whether its proposal was selected to proceed to the next evaluation phase or had been eliminated from the competition. *Id.* at 118.

On July 9, 2025, NASA notified z SofTech its proposal was eliminated from the competition under category C, though z SofTech represents it did not receive this notice until September 9. Req. for Dismissal at 2; Resp. to Req. for Dismissal at 3. On September 9, z SofTech filed an agency-level protest challenging the elimination of its proposal under category C. Req. for Dismissal attach. 1, Agency-Level Protest at 1. On September 17, NASA issued a decision in which it noted z SofTech's protest was untimely, but nonetheless addressed the concerns raised in the protest and denied them. Req. for Dismissal attach. 2, Agency-Level Protest Decision at 1-2. Subsequently, on February 9, 2026, NASA notified z SofTech its proposal was eliminated from the competition under category A. Req. for Dismissal at 2.

On February 18, z SofTech filed a protest with our Office challenging its elimination from the competition under both categories A and C. Dkt. No. 1. Relevant here, z SofTech's initial protest filed with our Office referenced 8 exhibits but did not provide any of them; instead, the firm's February 18 protest stated: "We will provide the exhibits at a later date due to hundreds of documents." Dkt. No. 1. On February 24, z SofTech filed a supplemental protest with our Office.² Dkt. No. 5. The supplemental protest referenced 10 exhibits, of which 9 were included with the filing. Supp. Protest at 6-7, 8, 13, 16, 20, 23, 26, 28, 30, and 32. For the tenth exhibit, z SofTech included the following comment with its supplemental protest: "I will provide the supplemental information at a later date regarding the CLINS [contract line item numbers]/Pricing due to sensitive competition." Dkt. No. 5.

On February 27, NASA requested that we dismiss z SofTech's protest, arguing the protest (1) was untimely, with respect to the category C elimination, and (2) failed to set forth a factually and legally sufficient basis of protest with respect to the category A elimination.³ Req. for Dismissal at 1. In responding to the agency's dismissal request, on March 2, z SofTech submitted the tenth exhibit (exh. R-1) referenced in--but not provided with--its supplemental protest. See Dkt. Nos. 11-13.

² z SofTech filed its supplemental protest at 5:49 p.m. Eastern Time on Monday, February 23. Dkt. No. 5. Our Bid Protest Regulations provide that a submission received after 5:30 p.m. is considered to be filed on the following business day. 4 C.F.R. § 21.0(g). Accordingly, z SofTech's supplemental protest filing is considered to have been submitted on Tuesday, February 24.

³ NASA filed its request for dismissal at 8:08 p.m. Eastern Time on Thursday, February 26, as it was filed after 5:30 p.m., it is considered to be filed the next business day--Friday, February 27. Dkt. No. 6.

Regarding z SofTech's challenge to its elimination under category C, NASA argued the protest was untimely because it was filed more than 10 days after z SofTech was notified of its elimination on July 9, 2025. Req. for Dismissal at 2. Alternatively, the agency asserted z SofTech's protest to our Office was untimely because it was filed more than 10 days after issuance of NASA's September 17 agency-level protest decision. *Id.* In response, z SofTech disputed the agency's July 9th timeline, claiming that NASA had sent the July 9 notification to an incorrect email address, and, as a result, z SofTech "did not actually receive this notification until September 9, 2025." Resp. to Req. for Dismissal at 3. z SofTech did not respond to the agency's alternative argument that the challenge to the firm's elimination under category C also was untimely based on the September 17 adverse action related to the firm's agency-level protest. *See id. generally.*

Our decision explained our Bid Protest Regulations' strict rules for the timely submission of proposals, noting that when a protest first has been filed with a contracting activity, any subsequent protest to our Office must be filed within 10 days of initial adverse agency action. *z SofTech Solutions, Inc., supra* at 3 (citing 4 C.F.R. § 21.2(a)(3)). In this instance, initial adverse agency action occurred on September 17, 2025 when NASA issued its decision resolving z SofTech's agency-level protest. *Id.* Because z SofTech did not file its protest with our Office until February 18, 2026--more than 10 days after September 17--we dismissed as untimely the firm's challenge to its elimination from competition under category C. *Id.*

With respect to z SofTech's challenge to its elimination under category A, NASA argued the firm's initial protest with our Office was factually insufficient because it was "entirely lacking in detail and fail[ed] to provide even the most basic content required to constitute an actionable protest." Req. for Dismissal at 3. According to the agency:

[The protest] includes a statement of facts that offers scant specificity as to z SofTech's proposal or even to NASA's alleged misconduct and it contains a bullet list with seven general items identified as "grounds of protest," but does not tie those grounds to facts or any specific NASA actions. To the extent the Protest offers any factual arguments at all regarding NASA's evaluation of its proposal, they are so vague and generalized as to lack any probative value. . . . The allegations are entirely unsupported by documentation or references to the Request for Proposals or z SofTech's proposal itself. Even if the Protest could be read to include specific allegations of fact, the Protest attempts no application of its protest grounds to NASA's evaluation.

Id. at 3-4. (internal citations and footnotes omitted).

The agency also argued the initial protest was legally insufficient because it "constitute[d] a bare allegation of impropriety" and "fail[ed] to provide any legal justification as to why NASA's actions were improper," adding that, to the extent the initial protest did include some legal arguments in the section titled "ANTI-

COMPETITIVE EFFECTS and Structural Restriction of Small Business Participation,” these arguments were untimely challenges to the terms of the solicitation. Req. for Dismissal at 4. Finally, NASA characterized z SofTech’s February 24 supplemental protest as an untimely attempt “to salvage the factually unsupported allegations of its initial Protest” through the piecemeal presentation of protest issues. *Id.* at 2.

In response, z SofTech argued its protest was supported by “physical evidence providing six distinct pillars of Agency misconduct.” Resp. to Req. for Dismissal at 1. The “physical evidence” cited by z SofTech were the nine exhibits submitted with the firm’s supplemental protest on February 24. *Id.* at 1-2; see *also generally* Supp. Protest at 8-34. z SofTech provided additional “physical evidence” as part of its response to NASA’s request for dismissal. Specifically, z SofTech stated:

The Agency argues the Protest lacks evidence because the Protester noted it would provide CLINs/Pricing at a “later date.” As a *pro se* small business, the Protester initially withheld this specific data out of extreme caution regarding the leak of highly sensitive OEM competitive pricing arrangements to the public or competitors. To cure this, the Protester will now attach[] **Exhibit R-1 (CLINs, LOAs, and Pricing for Category A)** to this filing, submitted strictly under the GAO Protective Order. The Agency clearly stated offerors could use one OEM provider for multiple technical requirements regarding products and solutions, and offerors only needed two CLINs for Services in Technical area 9, which the Protester provided. The physical evidence will now be fully before the GAO.^[4]

Resp. to Req. for Dismissal at 2; see *also* Dkt. Nos. 11-13 (submitting Exhibit R-1 in three parts). z SofTech also maintained its supplemental protest was not “impermissible ‘piecemeal’ presentation” because the firm’s initial February 18 protest “strictly satisfied the 10-day timeliness requirement,” and the February 24 supplemental protest “did not introduce wholly independent legal theories,” but only “provided the direct documentary evidence tethered to those timely February 18 claims.” Resp. to Req. for Dismissal at 2.

Our decision explained that our regulations require protests to set forth factually and legally sufficient bases of protest, and that in order to do so protesters must “provide, at a minimum, credible allegations that are supported by evidence and are sufficient, if uncontradicted, to establish the likelihood of the protester’s claim of improper agency action.” *z SofTech Solutions, Inc., supra* at 4 (citing 4 C.F.R. § 21.1(c)(4) and (f); *Warfighter Focused Logistics, Inc.*, B-423546, B-423546.2, Aug. 5, 2025, at 4). In other words, we clarified, “[p]rotesters must provide more than a bare allegation; the allegation must be supported by some explanation that establishes the likelihood that the protester will prevail in its claim of improper agency action.” *Id.*

⁴ We understand the acronyms OEM and LOAs to refer to original equipment manufacturer and letters of authorization, respectively. See RFP at 47, 97.

Our decision also explained that while z SofTech's February 18 initial protest was timely, it "provide[d] no information to support the assertion that the agency's decision to eliminate the protester's proposal from the competition was unreasonable." *z SofTech Solutions, Inc., supra* at 4. Rather, the initial protest "simply list[ed] the titles of protest grounds . . . without discussing the underlying facts that purportedly gave rise to these protest grounds or providing a basis to conclude that the agency's evaluation was in any way improper or unreasonable." *Id.* We concluded that the initial protest's "bullet list of conclusory allegations, without more, fail[ed] to set forth a clear statement articulating a factual and legal basis in support of the protester's arguments," and we dismissed the allegations for failing to state a valid basis of protest. *Id.* at 4-5.

With respect to z SofTech's February 24 supplemental protest, our decision noted our regulations do not permit the piecemeal presentation or development of protest issues though later submissions missing from earlier allegations. *Id.* at 5 n.4. Because z SofTech could have provided the supporting information and exhibits from the February 24 supplemental protest with the firm's February 18 initial protest, we concluded that the additional supporting information was not timely filed and could not be considered. *Id.*

DISCUSSION

In its request for reconsideration, z SofTech contends our "decision misapprehends material facts and misapplies governing legal standards, resulting in the improper dismissal of both Category A and Category C protest grounds." Req. for Recon. at 1. Under our regulations, to obtain reconsideration the requesting party must set out the factual and legal grounds upon which reversal or modification of the decision is deemed warranted, specifying any errors of law made or information not previously considered. 4 C.F.R. § 21.14(a). Neither the repetition of arguments made during our consideration of the original protest nor disagreement with our decision meet this standard. *C3.ai, Inc., B-421337.3, May 30, 2023, at 4.*

Category C Elimination--Timeliness

As set forth above, we dismissed z SofTech's challenge to its elimination under category C because the challenge was not timely filed within 10 days of NASA's decision resolving z SofTech's underlying agency-level protest. *z SofTech Solutions, Inc., supra* at 3. The requester contends that we misapplied the legal standard for timeliness because z SofTech did not have actual or constructive knowledge of its elimination from category C until September 9, rather than on July 9 as claimed by the agency. Req. for Recon. at 3. Additionally, the requester maintains that we misapprehended z SofTech's knowledge of material facts because our decision "assumes that the protester possessed sufficient knowledge at an earlier point in time," but, according to z SofTech, the requester did not learn it had been eliminated under category C until September 9. *Id.* at 4-5.

These contentions echo the same argument z SofTech made previously in opposing the agency's dismissal request, in which the firm disputed NASA's July 9th timeline. Resp. to Req. for Dismissal at 3. More importantly, these contentions ignore the fact that our dismissal *was not based on the July 9th timeline*. Rather, our dismissal was based on z SofTech's failure to timely protest *within 10 days of September 17*--the date on which NASA issued its decision resolving z SofTech's agency-level protest. z *SofTech Solutions, Inc., supra* at 2 n.2, 3. Accordingly, we dismiss z SofTech's request for reconsideration of our dismissal with respect to category C because the request is based on repetition of arguments made during the original protest coupled with the requester's misunderstanding of--or disagreement with--our decision; neither of which meet the standard to obtain reconsideration. See e.g., *C3.ai, Inc., supra* at 4 and 4 n.4 (dismissing request for reconsideration that repeated previous arguments and misunderstood and disagreed with our underlying decision).

Category A Elimination--Failure to State Valid Basis of Protest

As discussed above, we dismissed z SofTech's challenge to its elimination under category A because the February 18 initial protest, while timely, provided only a bullet list of conclusory allegations that failed to set forth a factual and legal basis in support of the protest arguments. z *SofTech Solutions, Inc., supra* at 4-5. Additionally, we dismissed as untimely the supporting information provided in the February 24 supplemental protest because it constituted impermissible piecemeal development of protest issues. *Id.* at 5 n.4.

The requester argues our characterization of "the protest as a generalized 'bullet list,'" "reflects a misapprehension of the factual record." Req. for Recon. at 1. The requester asserts its initial protest and supporting exhibits provided the necessary support for its allegations. *Id.* In support of this assertion, the requester cites to exhibits it submitted on February 24 and March 2 as part z SofTech's supplemental protest and response to NASA's dismissal request, respectively. *Id.* at 2-3. This assertion echoes the same argument z SofTech made in opposing the agency's dismissal request, in which the firm cited to "physical evidence" supporting the protest allegations. See Resp. to Req. for Dismissal at 1-2. As we explained in our decision, however, the supporting "physical evidence" cited to by the requester was not submitted with z SofTech's timely filed February 18 initial protest. z *SofTech Solutions, Inc., supra* at 5 n.4. Rather, that evidence was submitted with the supplemental protest filed on February 24, which we concluded was an untimely piecemeal presentation of protest issues. *Id.*

Additionally, the requester claims our decision misapplied the legal standard governing supplemental filings. Specifically, the requester maintains:

The Decision treats the protester's supplemental filing as raising new or untimely protest grounds. This reflects a misapplication of GAO's legal standard distinguishing new protest grounds from permissible development of existing grounds.

GAO permits a protester to supplement, clarify, and provide additional support for previously raised protest grounds.

Req. for Recon. at 5. The requester characterizes its supplemental protest filing as providing supporting evidence for issues already raised, clarifying the factual basis for those issues, and further explaining inconsistencies in the evaluation. *Id.* The requester insists our “Decision improperly treats this clarification as new protest grounds, effectively imposing a requirement that all evidentiary detail must be fully developed in the initial filing.” *Id.* at 6.

First, these claims echo the same arguments z SofTech made previously in opposing the agency’s dismissal request, in which the firm maintained that the supplemental protest “did not introduce wholly independent legal theories” but instead “provided the direct documentary evidence tethered to those timely February 18 claims.” Resp. to Req. for Dismissal at 2. Second, and more fundamental, the requester’s insistence that our Office permits such later clarification of initial protest grounds, rather than requiring “that all evidentiary detail must be fully developed in the initial filing,” is simply incorrect. Contrary to the requester’s insistence--and as explained in our decision--our regulations *do not contemplate the development of protest issues through later submissions.* z *SofTech Solutions, Inc., supra* at 5. Instead, as our decisions have consistently explained, the piecemeal presentation of evidence, information, or analysis supporting allegations previously made is prohibited and our Office will dismiss a protester’s piecemeal presentation of arguments that could have been raised earlier in the protest process. *Vysnova Partners, Inc.--Recon.*, B-420654.4, Oct. 25, 2022, at 3; *Raytheon Blackbird Techs., Inc.*, B-417522, B-417522.2, July 11, 2019, at 4; *American Roll-On Roll-Off Carrier Group, Inc.*, B-418266.9 *et al.*, Mar. 3, 2022, at 11 n.12.

Accordingly, we dismiss z SofTech’s request for reconsideration of our dismissal with respect to category A because the request is based on (1) repetition of arguments made during the original protest, and (2) a misstatement or misunderstanding of our regulations; neither of which meet the standard for reconsideration. See *e.g.*, *The CBE Group, Inc.--Recon.*, B-414220.51, Apr. 19, 2017, at 2-3 (dismissing request for reconsideration based on requester’s incorrect assertion regarding rule expressed by our prior decisions).

The request for reconsideration is dismissed.

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