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Burton

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-200775.2

DATE: May 7, 1981

MATTER OF: Health Management Services Corporation--
Reconsideration

DIGEST:

[Request for

Where protester notifies GAO that it is seeking reconsideration but factual or legal basis for seeking reconsideration has not been filed within 10 working days after receipt of GAO decision, request for reconsideration is untimely and not for consideration.

Health Management Services Corporation (Health) requests that we reconsider our decision in Health Management Services Corporation, B-200775, April 3, 1981, 81-1 CPD _____, in which we denied the firm's protest against the award of a contract to CSR, Incorporated by the Department of Health and Human Services.

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Health, in its request for reconsideration filed in our Office on April 20, 1981, acknowledged receipt of the above decision on April 7, 1981. Although not providing any factual or legal grounds upon which the request was based, Health stated, "This request for reconsideration will be supplemented within five working days." Notwithstanding this assertion, Health has not submitted the supplemental statement.

Requests for reconsideration must be filed within 10 working days after the basis for reconsideration is known or should have been known, whichever is earlier, and contain a detailed statement of 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. § 20.9(a) and (b) (1980). A timely request for reconsideration must contain that detailed statement;

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the furnishing of those details after the 10-day filing period has elapsed, even where, as here, an unsupported reconsideration request was filed within the period, will not suffice. As we said in Department of Commerce; International Computaprint Corporation, 57 Comp. Gen. 615 (1978), 78-2 CPD 84:

"When a protester, an interested party, or a contracting agency timely files a short note indicating general disagreement with an earlier decision and subsequently provides the required detailed statement after the expiration of the reconsideration period, an attempt to extend the time for filing the reconsideration request is evident. We cannot condone such action because to do so would open the door to potential protracted delays possibly resulting in circumstances negating recommended remedial action in the earlier decision."

Since the required detailed statement was not filed within 10 working days after protester's receipt of our decision, the request for reconsideration is untimely and not for consideration. See Lewis Management and Service Company--Reconsideration, B-192078, January 18, 1979, 79-1 CPD 29; National Investigation Bureau--Reconsideration, B-195844.3, January 10, 1980, 80-1 CPD 30.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel