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**DECISION**



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

**FILE: B-191869**

**DATE: August 7, 1978**

**MATTER OF: Beckwith Electronic Engineering Co.--  
Reconsideration**

**DIGEST:**

Request for reconsideration of decision is denied where protester fails to specify any error of law or to furnish new information not previously considered.

Beckwith Electronic Engineering Co. (Beckwith) requests reconsideration of our decision Beckwith Electronic Engineering Co., B-191869, June 12, 1978, 78-1 CPD 428.

As set out in that decision, Beckwith initially protested to the Sacramento Army Depot, Sacramento, California (Army) by letter of February 17, 1978. Beckwith complained that Section F of solicitation No. DAAG08-78-R-0059 was restrictive of competition because only one firm manufactured the particular equipment specified. The Army orally denied the protest on February 23, 1978 and by letter of March 23, 1978 advised Beckwith to amend its proposal to comply with the solicitation requirements.

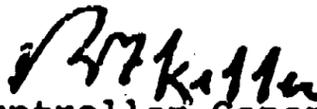
Beckwith's protest with this Office, received on May 8, 1978, was held untimely because it was not filed within 10 days after its denial by the Army.

As grounds for reconsideration, Beckwith contends that the Army's letter of April 20, 1978, constituted initial adverse agency action. In its view, its protest is eligible for consideration because it was delivered to this Office only 8 days after Beckwith received that letter on April 25, 1978.

The letter in question merely reiterated the Army's earlier refusal to favorably consider Beckwith's protest and again invited Beckwith to submit a revised proposal conforming to the solicitation. Even though Beckwith and the Army may have engaged in a further round of correspondence resulting in a restatement of the Army's objections to the proposal, the initial and controlling adverse agency action occurred on February 23, 1978, or at the latest, on March 23, 1978. National Flooring Company, B-188019, February 24, 1977, 77-1 CPD 138.

In the circumstances, Beckwith has failed to specify any error of law or to furnish new information not previously considered. Accordingly its request for reconsideration is denied. 4 C.F.R. § 20.9 (1977).

Deputy

  
Comptroller General  
of the United States