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United States  
General Accounting Office  
Washington, D.C. 20548

Comptroller General  
of the United States

B-222531.3

July 9, 1986

Robinson, Felts, Starnes, Angenend, & Mashburn  
(Counsel for Central Forwarding, Inc.)  
1806 Rio Grande  
P.O. Box 2207  
Austin, Texas 78768-2207

Attention: Paul D. Angenend, Esq.

Gentlemen:

We refer to your letter dated June 10, 1986, and received in this Office on June 17, in which you, as the representative of Central Forwarding, Inc. (CFI), request reconsideration of our two previous notices dismissing CFI's protest against the proposed award of the Carswell AFB Pack and Crate/Local Move Contract, by the United States Air Force, under invitation for bids (IFB) No. F41613-85-B0084. In its protest, CFI states that it should be awarded the contract because it is the only bidder eligible for award. Specifically, CFI contends that it is the only bidder in compliance with all of the laws and regulations relating to the transportation of goods within Texas, and it is the only bidder holding the necessary licenses and permits for the job.

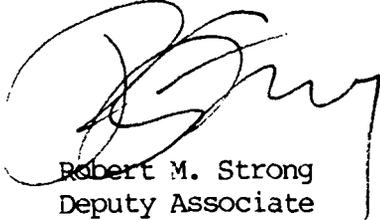
By notice dated April 25, 1986, we dismissed the protest as premature because CFI was merely anticipating that the contracting agency would improperly perform an act that had not yet been performed. There was no indication in the protest of April 24 that CFI, by letter dated February 7, 1986, had filed a protest with the Air Force. By letter received on May 22, 1986, CFI reasserted its protest as an appeal from the April 30, 1986, agency denial of its agency-level protest. By notice dated May 22, 1986, we found CFI's protest to our Office untimely under 4 C.F.R. § 21.2(a)(3) (1986), because it was filed with our Office on May 22, 1986, more than 10 working days after CFI received notice of the agency denial of its protest on April 30, 1986.

We dismiss this request for reconsideration. Our Bid Protest Regulations provide that a request for reconsideration must be received in this Office not later than 10 working days after the basis for reconsideration is or should have been known. 4 C.F.R. § 21.12(b) (1986). The basis of this reconsideration request was our dismissal of CFI's protest as untimely by notice dated May 22, 1986, and, which according to your present letter, CFI received on May 27. In order for CFI's request for

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reconsideration to have been timely filed, it should have been received at GAO by June 10, 10 working days after May 27. See Bruce Rahmani--Reconsideration, B-219312.5, Jan. 9, 1986, 86-1 C.P.D. ¶ 20. Therefore, CFI's request for reconsideration, filed on June 17, is untimely.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'R. Strong', written over the typed name.

Robert M. Strong  
Deputy Associate  
General Counsel