

DECISION



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

9600

FILE: B-194014

DATE: March 30, 1979

MATTER OF: Hooper Holmes, Inc. DLG 01359

DIGEST:

[Protest concerning sole-source procurement filed more than two months after notice of award was published in the Commerce Business Daily (CBD) is untimely filed, does not raise issue significant to procurement practices, and therefore is not for consideration on the merits.]

CNG 02223

Hooper Holmes, Inc. (Hooper), protests the award of contract No. SBA-2590-FI-79 on a sole-source basis to Equifax, Inc. (Equifax) by the Small Business Administration (SBA) for the provision of credit reference services. Hooper contends that SBA refused to permit it to participate in the procurement despite Hooper's notice to SBA of its interest in bidding.

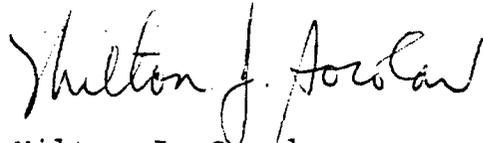
The information submitted by Hooper indicates that it advised SBA of its desire to participate in this procurement by telephone conversations of September 14 and 27, 1978. Hooper learned of the October 1, 1978 award from the November 8, 1978 issue of the "Commerce Business Daily" (CBD) and recognized the procurement as sole-source. Hooper's protest letter to this Office was filed on January 29, 1979.

The protest is untimely. Section 20.2(b)(2) of our Bid Protest Procedures provides in pertinent part that protests shall be filed not later than 10 working days after the basis for protest is known. 4 C.F.R. § 20.2(b)(2) (1978). Since Hooper learned of the award from the November 8, 1978 issue of the CBD, its failure to protest within 10 days of the time it should have received that issue renders its protest untimely. See Delphi Industries, Inc., B-193087, January 30, 1979, 79-1 CPD 67.

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The protester argues that in the event the protest is untimely, the matter should be "investigated and commented upon by the General Accounting Office to prevent its recurrence in the future." We do consider untimely protests when they raise issues significant to procurement practices or procedures. 4 C.F.R. § 20.2(c). We see nothing in this protest which raises such an issue. See Delta Scientific Corporation, B-184401, August 3, 1976, 76-2 CPD 113.

The protest is dismissed.



Milton J. Socolar
General Counsel