

DECISION



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

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Boyle

CA 600 X5

FILE: B-196027

DATE: October 23, 1979

MATTER OF: Prevost F. Smith Parachute Company

DLG 603/130

[Untimely Protest of Navy Contract Award]
DIGEST:

Protest filed with GAO more than 10 days after notification of initial adverse agency action (denial of protest to agency) is untimely and not for consideration.

AGC 00159- Prevost F. Smith Parachute Company (SPC) protests the award of a contract by the Department of the Navy, Aviation Supply Office (ASO), under solicitation No. IFB N00383-79-B-0276.

SPC was notified by ASO that its bid was nonresponsive. By letter dated June 29, 1979, SPC protested to ASO. On August 23, 1979, SPC received ASO's letter which denied its protest. SPC then protested the agency's adverse action by letter to our Office which was received on September 11, 1979.

Section 20.2(a) of our Bid Protest Procedures, 4 C.F.R. part 20 (1979), provides that if a protest has been filed initially with the contracting agency, any subsequent protest to our Office must be filed within 10 days of notification of initial adverse agency action.

The letter from ASO received by SPC on August 23 was notification of the agency's action. SPC did not file its protest with our Office within 10 days of agency notification. Accordingly, SPC's protest is untimely and not for consideration. See Wiltron Company, B-194194, March 12, 1979, 79-1 CPD 173; and Kenneth Roberts & Associates, Inc., B-194449, June 15, 1979, 79-1 CPD 425.

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The protest is dismissed.

A handwritten signature in cursive script, reading "Milton J. Socolar". The signature is written in dark ink and is positioned above the printed name and title.

Milton J. Socolar
General Counsel