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**DECISION**



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

FILE: B-201626

DATE: January 22, 1981

MATTER OF: Coventry Manufacturing Company, Inc.

*[Protest of Nonresponsive Bid Determination]*

DIGEST:

Protest filed with GAO more than 10 working days after protester received notification of initial adverse action on protest filed with contracting agency is untimely and will not be considered on its merits.

Coventry Manufacturing Company, Inc. (Coventry), protests the award of a contract by the Department of the Navy under solicitation No. N68335-80-B-0845. Coventry, whose bid was determined nonresponsive because of its failure to sign block 19 of the solicitation, alleges that this deficiency constitutes a "minor irregularity" that Coventry should have been given an opportunity to cure.

Coventry initially protested to the agency in a letter dated November 14, 1980. In late November 1980, the Navy denied this protest. After receipt of the letter of denial, Coventry wrote to the Navy on December 4, 1980, requesting advice on appealing.

Our Bid Protest Procedures state that if a protest has been filed initially with the contracting agency, any subsequent protest to the GAO must be filed within 10 working days of formal or constructive notification of adverse agency action to be considered timely. Because Coventry's protest was not filed with our Office until December 29, 1980, it is untimely. 4 C.F.R. § 20.2(a) (1980). Tempesta & Son Co., B-199469, July 21, 1980, 80-2 CPD 55.

Further, while Coventry's unawareness of our procedures may have contributed to its failure to submit a timely protest, our Bid Protest Procedures have been published in the Federal Register and

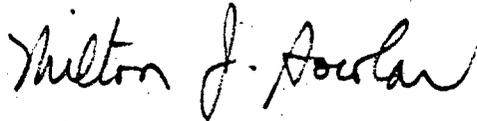
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B-201626

2

protesters are charged with constructive notice  
of their contents. Post Marketing Corporation,  
B-197472, January 28, 1980, 80-1 CPD 76.

The protest is dismissed.

A handwritten signature in cursive script that reads "Milton J. Socolar".

Milton J. Socolar  
General Counsel