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DECISION



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

FILE: B-203541 . DATE: June 16, 1981

MATTER OF: Laerdal Medical Corporation

DIGEST:

Protest filed more than ten days after receipt of documents revealing basis of protest is untimely since time limitation cannot be extended by protester's alleged need to analyze documents.

Laerdal Medical Corporation protests the Defense Logistics Agency's award of a contract to Impact Instrumentation, Inc. for 208 portable battery-operated surgical aspirators or suctional apparatus. The request for proposals (No. DLA120-81-R-0591) contained a brand name or equal specification and listed several salient characteristics which supplies offered as "equal" must meet.

We dismiss the protest as untimely.

GAO Bid Protest Procedures, 4 C.F.R. § 20(b)(2) (1980), require that a protest must be filed within ten working days after the basis for the protest is known or should have been known, whichever is earlier. The purpose of our timeliness rules is to provide for the expeditious consideration of objections to procurement actions without unduly burdening and delaying the procurement process, and to permit us to decide the matter while it is practicable to take effective action where the circumstances so warrant. Davey Compressor Company, B-195425, November 14, 1979, 79-2 CPD 351.

The protester states that after being notified its offer was unsuccessful, it requested a copy of the successful offer and other documents from the agency. These

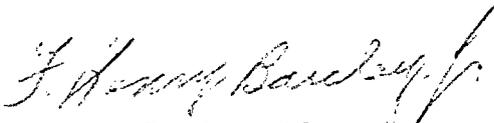
[Protest of Defense Logistic Agency Contract Award]

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were received on May 18, 1981. An analysis of the documents completed on May 26, 1981, formed the basis of the protest which Laerdal Medical filed with this Office on June 3, 1981, more than ten working days after the protester received the documents.

The protester should have known the basis of its protest upon receipt of the awardee's offer and other documents from the agency, and thus should have filed its protest within ten working days afterwards. See Century Industries, Inc., B-197933, B-197945, June 11, 1980, 80-1 CPD 408. Any need to analyze the documents or to obtain additional information could not serve to extend the time limitations. See Advanced Marine Enterprises, Inc., B-196252.2, February 7, 1980, 80-1 CPD 106.

The protest is dismissed.


For Harry R. Van Cleve
Acting General Counsel