

DECISION



Zuckerman
19956
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-205313

DATE: November 4, 1981

MATTER OF: Copylease Corporation of America

DIGEST:

Protest not filed within 10 days after basis of it is known is untimely and will not be considered.

Copylease Corporation of America protests the refusal of contracting personnel at Fort Monmouth, New Jersey to comply with the Defense Acquisition Regulation which it asserts requires solicitations to be synopsisized in the Commerce Business Daily (CBD) for "20 days prior to award." In effect, however, Copylease protests the award of several contracts to Xerox Corporation shortly after the CBD synopses were published.

This protest is untimely and will not be considered.

Our bid protest procedures require that a protest be filed within 10 days after the basis of the protest is known. 4 C.F.R. 21.2(b)(2) (1981). From the information submitted with the protest, it is apparent that Copylease knew of the initial CBD synopsis and award to Xerox on September 23, 1981; that by October 5, 1981, Copylease was also aware of the CBD synopses and awards for the additional equipment. Thus to be timely, the protest over the first award should have been filed (received in the the General Accounting Office) by October 7, 1981, and by October 20, 1981, for the subsequent award. The protest was dated October 21, 1981, and it was received on October 26.

The protest is dismissed.

J. Henry Bowditch
Per Harry R. Van Cleve
Acting General Counsel

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