

DECISION



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

FILE: B-207898.5

DATE: July 26, 1983

MATTER OF: Ensign Aircraft Company--Reconsideration

DIGEST:

Request for second reconsideration of protest decision, filed more than 10 working days after protester receives decision denying first request for reconsideration, is untimely.

Ensign Aircraft Company requests a second reconsideration of our decision in Ensign Aircraft Company, B-207898.3, April 1, 1983, 83-1 CPD 340, in which we dismissed as untimely Ensign's protest concerning the Air Force's rejection of its proposal to build a Next Generation Trainer (NGT) under request for proposals No. F33657-81-R-0395.

Ensign essentially disagrees with our determination that it received no new information during an August 1982 debriefing, but rather learned months earlier of what the Air Force considered deficiencies in its proposal. We denied Ensign's first request for reconsideration because the firm had presented no facts that were not previously considered and had not alleged that our original decision contained any errors of law. Ensign Aircraft Company, B-207898.4, May 17, 1983, 83-1 CPD 520.

Ensign's second request for reconsideration is untimely. Our Bid Protest Procedures, 4 C.F.R. § 21.9(b) (1983), require that requests for reconsideration be filed within 10 working days after the basis for them is known or should have been known.

Ensign's second request, however, was not filed until June 16, 1983, or 22 working days after the first request for reconsideration was denied. We assume that a protester will receive a decision not later than 5 working days after its issuance. See C. W. Girard, C.M.--Reconsideration, B-210135.2, February 23, 1983, 83-1 CPD 186.

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In this case, Ensign should have received our decision by May 24, 1983. Since the second reconsideration request was not filed within the 10 working day period provided for under our Bid Protest Procedures, we dismiss it.

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Acting General Counsel