

**DECISION**

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

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**FILE:** P-215406**DATE:** June 27, 1984**MATTER OF:** Unico, Inc.**DIGEST:**

Protest that firm was denied opportunity to compete in small purchase procurement, filed with GAO more than 10 working days after protester received notification of award to another firm, is untimely and not for consideration on the merits.

Unico, Inc. protests the award of a contract for a word processor by Kelly Air Force Base, San Antonio, Texas. We dismiss the protest as untimely.

In mid-February 1984, the protester telephoned the agency and was advised that the agency intended to buy another firm's word processor. The protester informed the agency that it wished to submit a quotation, but was told by the agency that it was not able to locate the solicitation. Finally, on May 8, the agency informed Unico that the equipment was being installed. The agency also advised the protester that on small purchase procurements its practice is to "rotate" the vendors solicited because there are too many firms to seek telephone quotations from them all.

The protester's complaint is that it was not allowed to submit a quotation on this procurement and thus was improperly excluded from competition. It requests that the award be rescinded.

Our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(2) (1984), require that a protest, in order to be considered, must be received in our office not later than 10 working days after the basis for protest is known or should have been known, whichever is earlier.

By May 8, 1984, Unico was clearly informed that award had been made to another firm. Consequently, Unico was required to file its protest within 10 days. Unico's protest, however, was not received in our office until May 31, and therefore is untimely.

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The protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel