

DECISION

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

FILE: B-222488.2 **DATE:** May 28, 1986
MATTER OF: Waltham Precision Instruments, Inc.--
Request for Reconsideration

DIGEST:

Protester's assertion that it was unaware of the requirement to furnish a copy of the protest to the contracting agency is not a defense to a dismissal of the protest since the protester is charged with constructive notice of GAO's Bid Protest Regulations through their publication in the Federal Register and Code of Federal Regulations.

Waltham Precision Instruments, Inc. (Waltham), requests reconsideration of our dismissal of its protest under Defense Logistics Agency solicitation DLA500-86-B-0077.

We dismissed the protest because Waltham failed to furnish a copy to the contracting agency as required by our Bid Protest Regulations, 4 C.F.R. § 21.1(d) (1985).

Waltham requests reconsideration of the dismissal because it was unaware of the requirement to furnish a copy of the protest to the contracting agency. However, we have held consistently that a protester's lack of knowledge of our regulations is no defense to a dismissal since our regulations are published in the Federal Register and Code of Federal Regulations and, accordingly, protesters are charged with constructive notice of their contents. C-RAN Corp., B-218553.2, May 14, 1985, 85-1 C.P.D. ¶ 543; Lucro Art Studio Inc., B-217422, Feb. 27, 1985, 85-1 C.P.D. ¶ 249.

We affirm the dismissal.


Harry R. Van Cleve
General Counsel

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