



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: AAA Engineering & Drafting, Inc.

File: B-225431

Date: November 5, 1986

DIGEST

Protest is dismissed where the protester fails to file a copy of its protest with the contracting officer within 1 day after filing with the General Accounting Office as required by the Bid Protest Regulations.

DECISION

AAA Engineering & Drafting, Inc. (AAA) protests the rejection of its proposal as unacceptable under request for proposals (RFP) No. NC3000-6-00058 issued by the National Oceanic and Atmospheric Administration.

We dismiss the protest.

AAA's protest was filed in our Office on October 27, 1986, and the protest indicated that a copy had been mailed to the contracting officer. By letter dated October 31, 1986, and by a telephone call on November 5, the agency advised us that the contracting officer had not received a copy of the protest by the 7th working day after the initial filing with our Office.

The Competition in Contracting Act of 1984, 31 U.S.C. § 3553(b)(2)(A) (Supp. III, 1985), and our implementing regulations impose a strict time limit of 25 working days from the date of telephone notice of the protest from our Office for an agency to file a written report. 4 C.F.R. § 21.3(c) (1986). Our Office generally must issue a final decision within 90 working days after the protest is filed. Permitting delays in furnishing copies of protests to the contracting agencies would hamper their ability to comply with the statutorily imposed time limitation for filing reports and could frustrate our efforts to provide effective and timely consideration of protests of procurement actions. See Sabreliner Corp., 64 Comp. Gen. 325 (1985), 85-1 CPD ¶ 280.

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Here, despite AAA's indication in its protest letter that the contracting officer had been served with a copy, the agency had not received a copy of the protest 7 working days after receipt of the protest in our Office.

Accordingly, we dismiss the protest.

John Brosnan

for
Ronald Berger
Deputy Associate
General Counsel