



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Alan Scott Industries--Request for  
Reconsideration  
File: B-226012.2  
Date: March 24, 1987

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### DIGEST

General Accounting Office (GAO) affirms dismissal of original protest for failure to file a copy of the protest with the contracting officer within 1 day after filing with GAO where the agency had not received a copy of the protest 4 working days after it was filed with GAO.

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### DECISION

Alan Scott Industries requests reconsideration of our dismissal of its protest, B-226012, concerning request for quotations No. DLA120-86-Q-A882, issued by the Defense Logistics Agency for dental pliers. We dismissed the protest by computer notice on January 14, 1987 because Alan Scott failed to furnish a copy of its protest to the contracting officer within 1 day after January 6, when the protest was filed with our Office. Our Bid Protest Regulations, 4 C.F.R. § 21.1(d), (1986), require furnishing a copy within this time.

We affirm the dismissal.

The agency advised us that it had not received a copy of Scott's protest as of January 13, and requested that we dismiss the protest. The firm argues that because we acknowledged receipt of the protest, we should reinstate it. It does not, however, allege or present facts to show that it furnished a copy of its protest to the contracting officer within 1 day of its filing with our Office.

A delay in the contracting officer's receipt of a copy of the protest (1) impedes the agency's ability to meet the 25 days allotted by the Competition in Contracting Act of 1984, 31 U.S.C. § 3553 (Supp. III 1985) for filing its administrative report with our Office, and (2) frustrates our efforts

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to consider expeditiously all objections to agency procurement actions. Federal Contracting Corp., B-224064, Oct. 10, 1986, 86-2 C.P.D. ¶ 420. There is no indication in the record that Scott furnished the agency with a copy of its protest to our Office, and its protest was, therefore, properly dismissed. Gilbert-Tucker Associates, Inc.--Request for Reconsideration, B-220731.2, Nov. 12, 1985, 85-2 C.P.D. ¶ 541; see also AAA Engineering & Drafting, Inc., B-225431.2, Dec. 3, 1986, 86-2 C.P.D. ¶ 638.

*for* *Raymond E. Van*  
Harry R. Van Cleve  
General Counsel