



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: C & S Associates--Reconsideration

File: B-252241.2

Date: March 3, 1993

Fred W. Sass for the protester.
Guy R. Pietrovito, Esq., and James A. Spangenberg, Esq.,
Office of the General Counsel, GAO, participated in the
preparation of the decision.

DIGEST

For the purposes of establishing timeliness, a protest is filed when actually received by the General Accounting Office.

DECISION

C & S Associates requests reconsideration of our dismissal of its protest of the award of a contract under solicitation No. M67004-92-R-0140, issued by the U.S. Marine Corps. We dismissed the protest because it was not filed within 10 working days of the date that the protester learned that its agency-level protest had been denied, as required by our Bid Protest Regulations, 4 C.F.R. § 21.2(a)(3) (1992). C & S argues, however, that its protest to our Office is timely because it was mailed within 10 working days of the date it learned that its agency-level protest was denied.

We affirm the dismissal.

Our regulations provide that the term "filed" means receipt of the protest in the General Accounting Office. 4 C.F.R. § 21.0(g). Thus, to be timely, C & S's protest was required to be received by our Office within 10 working days of the date that C & S learned of the denial of its agency-level protest. C & S states that it learned of the denial of its agency-level protest on January 15, 1993; its protest was filed in our Office on February 5, or 14 working days after the date it learned of the agency's adverse action. Accordingly, C & S's protest is untimely and was properly dismissed.


Ronald Berger
Associate General Counsel