



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Joan Carol Displays
File: B-259640
Date: December 28, 1994

DECISION

Joan Carol Displays protests the rejection of its proposal by the General Services Administration under solicitation No. 7FXG-K4-93-9912B.

We dismiss the protest as untimely because it was filed more than 10 days after the protester knew, or should have known, of the basis for its protest.

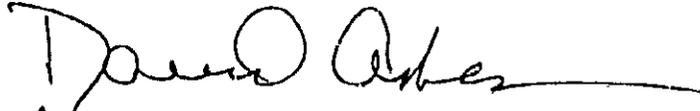
Our Bid Protest Regulations contain strict rules requiring timely submission of protests. Under these rules, protests not based upon alleged improprieties in a solicitation must be filed not later than 10 working days after the protester knew, or should have known, of the basis for protest, whichever is earlier. 4 C.F.R. § 21.2(a)(2) (1994).

On November 15, 1994, a letter rejecting its best and final offer was sent to Joan Carol by certified mail. The agency has furnished a copy of a return receipt which establishes that Joan Carol received the letter not later than November 17. Since this letter furnished the basis for Joan Carol's protest, it was required to file its protest with our Office within 10 working days after receipt, that is, not later than December 2. Since Joan Carol filed its protest on December 9, its protest is untimely.

Our timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc.--Request for Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order

to prevent those rules from becoming meaningless, exceptions are strictly construed and rarely used. Id.

The protest is dismissed as untimely.



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