



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Southeastern Construction--Reconsideration

**File:** B-260411.2

**Date:** May 16, 1995

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### DECISION

Southeastern Construction requests that we reconsider our February 24, 1995, dismissal of its protest against the award of a contract by the Department of the Army under solicitation No. DAAA31-94-B-0034, as untimely filed.

On November 8, 1994, Southeastern contacted the agency to inform it of a mistake in its bid. On January 11, 1995, Southeastern was notified that correction would not be allowed but that Southeastern could withdraw its bid. Award was then made to Recon Services on January 31. Southeastern's protest, filed on February 10, was dismissed as untimely because it was filed more than 10 working days after the protester was apprised that its bid would not be corrected or considered for award.

Southeastern now requests that we reconsider our decision on the basis that the solicitation did not indicate any time limitations for filing a protest and that it was not aware of them. Under the law, however, a protester is presumed to know the provisions of our Bid Protest Regulations since they are published in the Federal Register and Code of Federal Regulations and protesters therefore are charged with constructive notice of their contents. See Domation, Inc., B-228221, Sept. 28, 1987, 87-2 CPD ¶ 311.

The request for reconsideration is denied.

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger  
Associate General Counsel