

W.D. Becker



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

Decision

Matter of: Home Health Care Services

File: B-265889

Date: August 30, 1995

DECISION

Home Health Care Services protests any award by Department of Veterans Affairs under request for proposals No. 586-01-96.

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. Specifically, Home Health Care states that it was orally notified on July 26 that its proposal was no longer being considered; however, its protest was not filed in our Office until August 28.

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 no 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). In this regard, a protester's receipt of oral information forming the basis of its protest is sufficient to start the 10-day time period running; written notification is not required. Swafford Indus., B-238055, Mar. 12, 1990, 90-1 CPD ¶ 268.

The protest is dismissed.

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