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DECISION



B. Chavis
Proc. I.
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20540

FILE: B-187666

DATE: January 25, 1977

MATTER OF: Perry C. Herford--Request for Reconsideration

DIGEST:

Request for reconsideration of protest decision
filed more than 10 days after basis for request
is known is untimely and not for consideration.

Perry C. Herford has requested reconsideration of our decision (Perry C. Herford, B-187666, December 6, 1976) denying his protest against the rejection of his bid which was determined to be nonresponsive because it did not comply with the bid acceptance period. The solicitation was issued by the United States Department of Agriculture, Forest Service, and was for spot-site preparation in the Fort Rock Ranger District, Bend, Oregon.

Mr. Herford contends that we failed to consider his entire protest and that pursuant to Federal Procurement Regulations § 1-2.405 (1964 ed.) the contracting officer should have waived the deficiency.

Our Bid Protest Procedures, specifically 4 C.F.R. § 20.9(b) (1976), state that:

"(b) Request for reconsideration of a decision of the Comptroller General shall be filed not later than 10 [working] days after the basis for reconsideration is known or should have been known, whichever is earlier. The term 'filed' as used in this section means receipt in the General Accounting Office."

We have been informed that Mr. Herford received our decision within 1 week from its date of issuance. Therefore, the latest it would have been received would be December 13, 1976. Since the request for reconsideration was filed in our Office on January 3, 1977, more than 10 working days after the basis for reconsideration was known, it is untimely filed and, therefore, not for consideration.

R. J. K... ..
Deputy Comptroller General
of the United States