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DECISION

THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-196387   DATE: October 24, 1979

MATTER OF: Comtal Corporation

DIGEST:

> Protest to GAO against rejection of
> proposal as late is untimely and not
> for consideration since it was filed
> more than 10 days after protester
> received notice of rejection.

Comtal Corporation (Comtal) protests the
rejection of its proposal as late by the United
States Geological Survey, Department of the
Interior, under request for proposals (RFP)
No. 6332.

On August 2, 1979, the procuring activity
issued the RFP. Amendment 2 to the RFP required that
all offers be submitted by 3 p.m., September 17, 1979.
Comtal's proposal was rejected as late since it was
not received at the required location until 11:50 a.m.
on September 18, 1979. The contracting officer noti-
fied Comtal of the rejection of its proposal by letter
of September 19, 1979, which the record indicates
Comtal received on September 24, 1979. On October 10,
1979, Comtal filed a protest with our Office.

Section 20.2 of our Bid Protest Procedures
provides:

> "(b)(2) * * * bid protests
> shall be filed not later than 10
> days after the basis for protest
> is known or should have been known,
> whichever is earlier."

The term "filed" as used in our Bid Protest Procedures
means receipt in GAO. 4 C.F.R. § 20.2(b)(3) (1979).

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The time limitations prescribed in our Bid
Protest Procedures are not waivable technicalities.
We have strictly enforced them and have dismissed
protests as untimely without consideration of
the merits when the filing deadlines have not
been met.   See Linguistic Systems, Incorporated,
58 Comp. Gen. 403 (1979), 79-1 CPD 250.   Thus,
we have dismissed protests that were 1 day late.
See Lemont Shipbuilding and Repair Company,
B-180104, January 21, 1974, 74-1 CPD 20.   Since
Comtal did not file its protest until October 10,
more than 10 days after receipt of the notice that
its proposal was rejected as late, the protest is
untimely and will not be considered.

Milton J. Socolar
General Counsel