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DECISION



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

Untimely Protest of Department of Commerce Contract Award

FILE: B-200197 DATE: October 8, 1980

MATTER OF: Federal Properties of R.I., Inc. *DL605303*

DIGEST:

Protest filed with GAO more than 10 working days after protester receives notification of initial adverse action on protest filed with contracting agency is untimely and will not be considered on merits.

Federal Properties of R.I., Inc. (Federal Properties), protests the award of a contract by the Department of Commerce, Bureau of the Census, for the leasing of a facility in Fort Walton Beach, Florida. *AGC002104*

Federal Properties initially protested the award to the Bureau of the Census. On May 30, 1980, the Bureau of the Census denied the protest.

Our Bid Protest Procedures, 4 C.F.R. § 20.2(a) (1980), state that, if a protest has been filed initially with the contracting agency, any subsequent protest to our Office must be filed within 10 working days of notification of adverse agency action to be considered timely. The protest was not filed with our Office until August 29, 1980, and is consequently untimely. Tempesta & Son Co., B-199469, July 21, 1980, 80-2 CPD 55.

Accordingly, the protest is dismissed and will not be considered on the merits.

Milton J. Socolar

Milton J. Socolar
General Counsel

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