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DECISION



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

FILE: B-197082.2

DATE: October 13, 1981

MATTER OF: U.S. Financial Services, Inc.--
Reconsideration

DIGEST:

Request for reconsideration of protest decision filed more than 10 working days after protester learned of grounds for requesting reconsideration is untimely.

U.S. Financial Services, Inc., (USFS) requests that we reconsider our decision U.S. Financial Services, Inc., B-197082, August 7, 1981, 81-2 CPD 104, which involved the firm's protest against three procurement actions taken by the Federal Bureau of Investigation (FBI) to maintain and enhance the automatic data processing (ADP) capability of its Data Center. USFS contended that the FBI improperly placed orders for ADP equipment under General Services Administration (GSA) contracts with Itel Corporation and Memorex Corporation notwithstanding that the FBI knew that comparable equipment could be obtained from other firms, including USFS, at significantly lower cost. We sustained the protest against two of the purchases but found that no corrective action is available. We denied the protest against the third purchase.

USFS now requests that we reconsider both our finding that corrective action is not available with respect to the two procurement actions that we found were improper, and our denial of the protest against the remaining procurement.

USFS's request for reconsideration is dated September 1, and was filed in our Office on September 3. Our Bid Protest Procedures require that such requests be filed, that is, received in our Office, not later than 10 working days after the basis for reconsideration is known or should have been known. 4 C.F.R. § 21.9(b) (1981). Since USFS's basis for requesting reconsideration is its disagreement with conclusions in our August 7 decision, USFS should have filed its request here within

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10 working days of the date USFS received our decision. We have held that it is reasonable to assume that a protester will have received our decision within a week of its issuance. Rosa Pen Co., Inc.--Reconsideration, B-198803.3 January 22, 1981, 81-1 CPD 34. In this regard, we note that USFS is located in the Washington, D.C. metropolitan area. In our view, therefore, USFS's request, filed here on September 3, does not meet our requirement for timely filing. See U.S. Financial Services, Inc.,--Reconsideration, B-195945.4, B-198276.2, September 25, 1981, 81-2 CPD__.

USFS's reconsideration request is dismissed as untimely.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel