

**DECISION**

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

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**FILE:**  
B-215293

**DATE:** July 25, 1984

**MATTER OF:**  
The Fechheimer Bros. Co.

**DIGEST:**

Protest filed almost 1 month after contracting agency mailed letter containing basis for protest is untimely under 4 C.F.R. § 21.2(b)(2), since it was not filed within 10 working days of knowledge of basis of protest.

The Fechheimer Bros. Co. (Fechheimer) protests the decision by the Department of the Interior, Fish and Wildlife Service (Interior), to exclude its proposal in response to request for proposals No. FWS-9-RF-84-OS-0 from the competitive range.

We dismiss the protest as untimely.

Section 21.2(b)(2) of our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(2) (1984), requires protests to be filed within 10 working days of when the basis for the protest is known or should have been known. Interior mailed a letter on April 25, 1984, notifying Fechheimer that its proposal would not be included in the competitive range. Fechheimer's protest was filed on May 21, 1984--nearly 1 month later. Allowing a reasonable time for delivery of Interior's letter, it appears that Fechheimer's protest is untimely. Halifax Engineering, Inc., B-209822, Dec. 15, 1982, 82-2 C.P.D. ¶ 537.

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