

**DECISION**

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

**FILE:** B-216151

**DATE:** September 12, 1984

**MATTER OF:** ITT Corporation

**DIGEST:**

Protest not filed within 10 working days of date of receipt of decision on initial protest to agency is untimely and not for consideration.

On August 21, 1984, ITT Corporation (ITT) filed a protest with our Office against a contract awarded by the Naval Ships Parts Control Center (Navy) under request for proposals No. N00104-80-R-ZK13. The contract is for the repair of certain electron tubes. ITT contends that the Navy has improperly excluded it from the competition for these contracts. Documents provided by ITT in support of its protest show that ITT previously protested to the Navy and that the Navy contracting officer denied ITT's protest in a letter dated July 23, 1984.

Under our Bid Protest Procedures, 4 C.F.R. part 21 (1984), once a protest has been timely filed with the contracting agency, any subsequent protest to our Office must be filed within 10 working days after the protester received actual or constructive notice of the initial adverse agency action on the protest. 4 C.F.R. § 21.2(a) (1984). Allis-Chalmers Corporation, B-214388, Mar. 16, 1984, 84-1 C.P.D. ¶ 320. ITT's protest was not filed within this time limit and, therefore, is not for consideration.

The protest is dismissed.

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

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