

DECISION



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

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FILE: B-217550

DATE: January 24, 1985

MATTER OF: Knox Manufacturing Co.

DIGEST:

1. A protest not filed within 10 working days after the protester knew or should have known of the basis for protest is untimely and will not be considered.
2. Although the protester alleges that it did not know of the requirement concerning the time for filing of a GAO protest, an untimely protest may not be considered because bidders are on constructive notice of the requirement.

Knox Manufacturing Co. (Knox) protests the rejection of its response to solicitation No. FGE-B2-75297-N, issued by the General Services Administration (GSA). Knox's proposal was received after the time set for receipt of offers and was formally rejected by GSA in correspondence to Knox dated October 18, 1984.

Knox's protest is untimely and, therefore, dismissed.

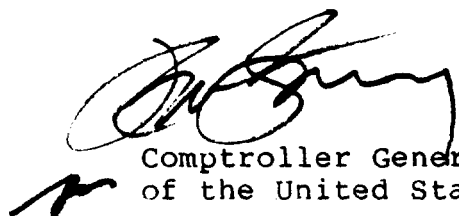
Although Knox was advised of the rejection of its offer by GSA on October 18, 1984, its protest was not filed (i.e., received) with our Office until January 10, 1984. Section 21.2(b)(2) (1984) of our Bid Protest Procedures, applicable to this protest, requires protests to be filed with our Office not later than 10 working days after the basis for protest is known or should have been known.

Knox states that it was unaware of our regulations regarding the timeliness of protests. However, this does not provide a basis for our Office to waive our

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procedures because bidders are on constructive notice of our Bid Protest Procedures since they are published in the Federal Register and the Code of Federal Regulations. See Westwood Pharmaceuticals Inc., B-214603, July 25, 1984, 84-2 C.P.D. ¶ 111.



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of the United States