

DECISION



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

FILE: B-221180.2

DATE: December 27, 1985

MATTER OF: R-A-L Mechanical Inc.

DIGEST:

Prior decision is affirmed on reconsideration where the protester has not shown any error of law or fact which would warrant reversal of that decision.

R-A-L Mechanical Inc. (RAL) requests reconsideration of our November 27, 1985, dismissal of its protest against the award of a contract to Jack Wiggins Construction Co. under invitation for bids No. F65503-85-B-0049 issued by Eielson Air Force Base, Alaska. We dismissed the protest as untimely because the protest, which was initially filed with the contracting agency, was not filed with our Office within 10 working days after the protester had knowledge of initial adverse agency action. 4 C.F.R. § 21.2(a)(3) (1985).

We affirm our prior dismissal

Our Bid Protest Regulations require that a request for reconsideration contain a detailed statement of the factual and legal grounds upon which a reversal or modification of the initial decision is warranted. 4 C.F.R. § 21.12(a). The request must specify errors of law or information available to our Office at the time of the original decision that was not considered. Connector Technology Corporation--Request for Reconsideration, B-218780.3, June 18, 1985, 85-1 C.P.D. ¶ 697. RAL initially filed a protest against the proposed award with the contracting agency on September 3, 1985, and the contracting officer denied the protest on September 30, 1985. RAL filed its protest here on November 26, 1985, and we dismissed the protest as stated above. In its request for reconsideration, RAL fails to point out any error of fact or law in our dismissal of its protest, save to advise that it was unaware of our regulations.

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We consistently have held that a protester's lack of actual knowledge of our regulations is no defense to a dismissal since our regulations are published in the Federal Register, and protesters are charged with constructive notice of their contents. See MCC FlowSeal--Reconsideration, B-218410.3, May 24, 1985, 85-1 C.P.D. ¶ 602. We affirm our dismissal.

for *Seymour E. Gross*
Harry R. Van Cleve
General Counsel