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**DECISION**



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

**FILE:** B-222961.2 **DATE:** June 2, 1986

**MATTER OF:** Rappahannock Rehabilitation Facility, Inc.--  
Reconsideration

**DIGEST:**

Request for reconsideration is untimely where it is not filed within 10 working days after the protester knew the basis for the reconsideration. Moreover, although GAO Bid Protest Regulations provide for consideration of an untimely protest if a significant issue is involved, there is no similar exception applicable to requests for reconsideration.

Rappahannock Rehabilitation Facility, Inc. (RRF), requests that we reconsider our dismissal of its protest against the results of a cost comparison conducted under Department of the Navy solicitation No. N62477-85-B-0145 to judge the benefits of contractor versus in-house performance of services for the Marine Corps. We dismissed the protest as untimely because it was filed more than 10 working days after RRF learned of the Marine Corps Commercial Activities Review Board's denial of the firm's appeal of the cost comparison results, in violation of the requirements of section 21.2(a) of our Bid Protest Regulations, 4 C.F.R. part 21 (1985).

We dismiss the reconsideration request.

RRF contends that we actually received its protest on the tenth working day after the Review Board denied the appeal--our records showed we received the protest on the eleventh day--and states that it is attempting to secure proof to that effect from the Postal Service. Alternatively, RRF suggests that the issues raised in the protest are appropriate for consideration under the exception in section 21.2(c) of our Regulations for untimely protests that raise issues significant to the procurement system.


Section 21.12(b) of our Bid Protest Regulations requires that a reconsideration request be filed not later than 10 working days after the basis for reconsideration is known or should have been known, whichever is earlier. We

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dismissed RRF's protest by notice of April 29, 1986, which we assume the firm, located in Fredericksburg, Virginia, received within 1 week. See Air Inc.--Request for Reconsideration, B-218730.5, Jan. 23, 1986, 86-1 C.P.D. ¶ 73. The request for reconsideration, filed in our Office on May 27 (by letter of May 21), thus was not filed within the required period and is untimely.

Moreover, we will not consider invoking the significant-issue exception where a reconsideration request is not timely filed. The exception in section 21.2(c) of our Regulations applies to untimely protests only; since there is no similar provision regarding reconsiderations, the untimeliness of the reconsideration request controls our disposition of the case. See Atkinson Dredging Co., B-218030.2, July 3, 1985, 85-2 C.P.D. ¶ 22.

RRF's request for reconsideration is dismissed.



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