The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Guarantee Lock Company

File: B-227739.2

Date: August 18, 1987

DIGEST

Dismissal of protest for failure to furnish a copy to the contracting officer within 1 working day of filing at the General Accounting Office (GAO) is affirmed where protester admits that a copy was mailed to the wrong office and protester does not refute the agency's position that the contracting officer was not served within 1 working day as required by GAO Bid Protest Regulations.

DECISION

Guarantee Lock Company (GLC) requests reconsideration of our dismissal of its protest against the award to another under request for quotation (RFQ) No. DLA500-87-T-W079 issued by the Defense Logistics Agency. We dismissed the protest because GLC failed to furnish a copy of its protest to the contracting officer within 1 working day after the protest was filed with our Office, as required by our Bid Protest Regulations, 4 C.F.R. § 21.1(d) (1987).

We affirm the dismissal.

On July 17, 1987, GLC filed its protest with our Office; and, as of July 24, the date we dismissed the protest, the contracting officer had not received a copy of the protest. In its request for reconsideration, the protester submitted evidence that a copy of the protest was erroneously mailed to the "Freedom of Information Officer (FOIA), Defense Industrial Supply Center, Philadelphia, Pennsylvania 19111." Nevertheless, the protester argues that, although misaddressed, the contracting officer should have received a copy of the protest.

We believe that GLC's protest was properly dismissed since the filing of the copy of the protest with the FOIA officer did not satisfy the notice requirement in section 21.1(d).

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We note that the FOIA officer was not the person designated by DLA for receipt of copies of protests. See Ledoux & Co.--Request for Reconsideration, B-222890.2, May 28, 1986, 86-1 C.P.D. ¶ 499. Moreover, the protester has not rebutted the agency's contention that the contracting officer did not receive a copy of the protest as required by our regulations.

Accordingly, the dismissal is affirmed.

for Seymour Efros
Harry R. Van Cleve
General Counsel