

H.P. Evans



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Signal Corporation
File: B-238507
Date: February 15, 1990

Roger Mody, for the protester.
David Ashen, Esq. and John M. Melody, Esq., Office of the
General Counsel, GAO, participated in the preparation of the
decision.

DIGEST

A protest to the General Accounting Office that was not
filed within 10 days after protester should have known of
initial adverse agency action on agency-level protest is
untimely.

DECISION

Signal Corporation protests the Environmental Protection
Agency's award of a contract to Versar, Inc., under request
for proposals No. D900184N1, for graphics services.

We dismiss the protest as untimely.

Our Bid Protest Regulations require that where a protest has
been filed initially with the contracting agency, any
subsequent protest to the General Accounting Office must be
filed within 10 working days of actual or constructive
knowledge of initial adverse agency action on the
agency-level protest. 4 C.F.R. § 21.2(a)(3) (1989).
Signal's initial protest to the contracting officer was
denied by letter dated January 3, 1990. In the absence of
evidence to the contrary, we assume Signal received the
denial of its agency-level protest by January 10 (1 calendar
week after mailing); Signal's protest to our Office was not

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filed until February 6, 18 working days later, and therefore
is untimely. TLC Moving, Inc.--Reconsideration, B-234850.2,
Apr. 11, 1989, 89-1 CPD ¶ 372.

Ronald Berger
Ronald Berger
Associate General Counsel