



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** TCA Reservations, Inc.--Reconsideration

**File:** B-244445.2

**Date:** July 29, 1991

L. Glenn Hillian for the protester,  
Anne B. Perry, Esq., and Paul Lieberman, Esq., Office of the  
General Counsel, GAO, participated in the preparation of the  
decision.

### DIGEST

Dismissal of protest as untimely is affirmed where protester  
produces for first time in reconsideration request additional  
information upon which the timeliness of the protest relies.

### DECISION

TCA Reservations, Inc. requests reconsideration of our  
June 13, 1991, dismissal of its protest against the bond  
requirement in request for proposals (RFP) No. WASO-91-02,  
issued by the Department of the Interior. We dismissed the  
protest as untimely under our Bid Protest Regulations because  
TCA filed its protest against an alleged apparent solicitation  
impropriety after the closing date for receipt of proposals.  
56 Fed. Reg. 3,759 (1991) (to be codified at 4 C.F.R.  
§ 21.2(a)(1)).


We affirm our dismissal.

In its request for reconsideration, TCA argues that its  
protest is timely because, although the bond requirement was  
part of the original solicitation, TCA received an amendment  
regarding the bonding requirement 1 day prior to the June 4  
closing date, and filed its protest on June 12, within 10 days  
thereafter. The protester argues that it "was preparing to  
file its protest on the bond issue on May 23, 1991," but  
delayed in anticipation of an amendment concerning the bonding  
issue.<sup>1/</sup>

<sup>1/</sup> We note that this amendment did not delete the bond  
requirement, and TCA does not allege that it believed the  
amendment was going to do so. Thus, the newly provided  
information does not affect the untimeliness of the protest.

Our Bid Protest Regulations provide that protests which are untimely on their face may be dismissed. It is the protester's obligation to include in its protest all the information needed to demonstrate its timeliness and protesters will not be permitted to introduce for the first time in a request for reconsideration the information upon which the timeliness of the protest relies. 56 Fed. Reg. supra (to be codified at 4 C.F.R. § 21.2(b)).

Since TCA did not initially provide the information which it now argues makes its protest timely, the dismissal is affirmed.

  
Ronald Berger  
Associate General Counsel