



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Scitec Corporation
File: B-259909
Date: January 24, 1995


DECISION

Scitec Corporation protests the purchase order issued pursuant to request for quotations No. W43HZD-4232-9500 issued by the Department of the Army for the purchase of a X-Ray Fluorescence Multi-Channel Spectrum Analyzer.

We dismiss the protest as untimely because it was filed more than 10 days after the protester knew, or should have known, of the basis for its protest. Scitec became aware of its basis for protest during the week of December 5, 1994, when Scitec contacted the agency concerning the status of the purchase order. Our Office did not receive the protest until January 5, 1995, more than 10 days after the basis was known.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests. Under these rules, protests not based upon alleged improprieties in a solicitation must be filed no later than 10 working days after the protester knew, or should have known, of the basis for protest, whichever is earlier. 4 C.F.R. § 21.2(a)(2). In this regard, a protester's receipt of oral information forming the basis of its protest is sufficient to start the 10-day time period running; written notification is not required. Swafford Indus., B-238055, Mar. 12, 1990, 90-1 CPD ¶ 268.

The protest is dismissed.


Ronald Berger
Associate General Counsel