

J. Thomas



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Y.C.N. Transportation-Reconsideration

File: B-261417.2

Date: August 7, 1995

DECISION

Y.C.N. Transportation requests reconsideration of our decision of June 7, 1995, in which we dismissed its protest of the award of a contract to Bay State Taxi by the Department of Veterans Affairs under request for proposals (RFP) No. 525-3-95. Y.C.N. alleged that Bay State did not have workers' compensation insurance as required by the RFP. We dismissed Y.C.N.'s protest because it challenged the VA's determination that Bay State was responsible, a matter we do not review under the circumstances of this case. We also noted that the protest was untimely.

On reconsideration, Y.C.N. contends that neither the contracting officer nor the solicitation informed it of the protest filing requirements. Under the law, however, a protester is presumed to know the provisions of our Bid Protest Regulations since they are published in the Federal Register and Code of Federal Regulations and protesters therefore are charged with constructive notice of their contents. See Domation, Inc., B-228221, Sept. 28, 1987, 87-2 CPD ¶ 311. Therefore, the fact that the contracting officer or the solicitation did not inform Y.C.N. of the filing requirements does not excuse Y.C.N.'s failure to timely file. Moreover, as indicated above, because the protest raises a matter we do not review, we would not consider the protest even if it were timely.

The request for reconsideration is denied.

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