



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-220383

September 25, 1986

Artek Systems Corporation
170 Finn Court
Framingdale, New York 11735

Attention: Mr. M. K. Bender
President

Gentlemen:

Our Office is in receipt of your letter dated September 15, 1986, in response to our September 4 letter advising you that we will not reconsider our dismissal of Artek's protest of Environmental Protection Agency (EPA) request for quotations (RFQ) No. 86-07. Our determination was based on your failure to specify your grounds of protest and notify EPA of these grounds as required by section 21.1 our Bid Protest Regulations.

Although you maintain that all of your grounds of protest--which you briefly recount--were "clearly stated before Mr. Bailey," our record contains no evidence that this is the case. In any event, the fact remains that your protest failed to set forth the details necessary to determine the bases for your complaint. This requirement contemplates a written statement sufficient to apprise the contracting agency of the specific aspects of the procurement to which a protester objects, and the reasons for the objection. Further, the requirement for furnishing a copy of a protest to the contracting agency within 1 day of filing with our Office is to avoid frustrating the agency's ability to comply with the statutory mandate that it file a written protest report within 25 working days of telephonic notice from our Office of the protest, and our own statutory mandate to issue a decision within 90 working days after a protest is filed.

Enclosed is a copy of EPA's August 15 letter, which evidently was omitted from our September 4 correspondence.

Sincerely yours,

John F. Mitchell for
Robert M. Strong
Deputy Associate
General Counsel

Enclosure