



Decision

Matter of: Rigid Security Group, Inc., d/b/a Rigid Tactical--Reconsideration

File: B-424123.3

Date: March 17, 2026

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Courtney Hatcher, Esq., Department of the Navy, for the agency.

Michael Willems, Esq., and Evan D. Wesser, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

1. Request for reconsideration is dismissed where the request for reconsideration relies on arguments that the protester could have raised, but did not raise, during the original protest.
 2. A “snow day” on which the GAO headquarters building was closed is not an agency closure for the purposes of computing timeliness pursuant to 4 C.F.R. § 21.0(d) where the Electronic Protest Docketing System (EPDS) remained available.
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DECISION

Rigid Security Group, Inc., d/b/a Rigid Tactical, a service-disabled veteran-owned small business of Virginia Beach, Virginia, requests that we reconsider our decision in *Rigid Security Group, Inc., d/b/a Rigid Tactical*, B-424123.2, Jan. 28, 2026 (unpublished decision), in which we dismissed its protest of corrective action proposed by the Department of the Navy in response to an earlier protest by Rigid, which challenged the agency’s award of a contract to Stronghold SOF Solutions, LLC, of DeFuniak Springs, Florida. The agency originally made the award under solicitation No. N6883625R0006, for the provision of a technical course of instruction relating to explosive ordnance disposal at Eglin Air Force Base, Florida. The protester requests that we reconsider our dismissal of its protest for failure to timely file comments within 10 days of the filing of the agency report because the protester contends that our headquarters building was closed on the due date for comments, and, thus, the due date for filing comments

should have automatically extended to the next business day that GAO's headquarters reopened.

We dismiss the request for reconsideration because it raises arguments the protester could have raised, but did not, during the original protest.

By way of background, the agency filed its report responding to the original protest on January 16, 2026. Agency Resp. to Req. for Recon., exh. 1, EPDS docket at 6. The protester's comments, accordingly, were due ten days later, on January 26. 4 C.F.R. § 21.3(i). The intervenor filed its comments on January 26, but the protester did not file comments on that date. Agency Resp. to Req. for Recon., exh. 1, EPDS docket at 6. At approximately 9:30 a.m. on January 27, the agency filed a request for dismissal for failure to comment. Agency Resp. to Req. for Recon., exh. 1, EPDS docket at 6. The protester neither filed a substantive response to the agency's request for dismissal nor requested an opportunity to respond, and at 10:22 a.m. on January 28 we dismissed the protest. *Rigid Security Group, Inc., d/b/a Rigid Tactical*, B-424123.2, Jan. 28, 2026 (unpublished decision); see also *Timberline Helicopters, supra* (denying a request for reconsideration based on information learned by the protester after the submission of comments, but before the issuance of GAO's decision, explaining that the protester should have sought leave pursuant to 4 C.F.R. § 21.3(j) to submit the additional information during the pendency of the underlying protest).

The protester now argues that the time for filing comments should have been tolled until at least January 28 because GAO's Washington, D.C., headquarters building was closed on January 26 and 27, and that when GAO is closed 4 C.F.R. § 21.0(d) provides that deadlines are extended to the first day on which our agency is open. Req. for Recon. at 1-2. The agency responds by arguing that neither GAO nor the rest of the government were closed on those dates--rather only the physical office buildings were closed while the majority of employees continued to telework, and the protester had no reasonable basis to believe that GAO was in fact closed. Agency Resp. to Req. for Recon. at 1-2.

To prevail on a request for reconsideration, the requesting party either must show that our decision contains errors of fact or law, or present information not previously considered, and which could not have been provided during the original protest, that warrants the decision's reversal or modification. 4 C.F.R. § 21.14(a); *Department of Veterans Affairs--Recon.*, B-405771.2, Feb. 15, 2012, at 3. Failure to make all arguments or submit all information available during the initial protest undermines the goals of our bid protest forum--to produce fair and equitable decisions based on consideration of all parties' arguments on a fully developed record--and cannot justify reconsideration of our prior decision. *Id.* at 4; see also *Timberline Helicopters, Inc.--Recon.*, B-414507.2, Aug. 1, 2017, at 2 ("In order to provide a basis for reconsideration, additional information not previously considered must have been unavailable to the requesting party when the initial protest was being considered."). We have repeatedly warned that parties that withhold or fail to submit all relevant evidence, information, or analyses for our consideration do so at their own peril. *Department of the Army--Recon.*

& *Clarification of Remedy*, B-419150.2, Mar. 30, 2021, at 4. The request in this case does not present any new information or arguments that could not have previously been raised by the protester.

Preliminarily, we note that while the protester is correct that our physical headquarters building was closed on those days, the agency is also correct that our “agency” was not closed in the sense contemplated by our regulations--employees eligible for telework continued their work and EPDS remained available for filing. See 4 C.F.R. § 21.0(d) (“when the *Government Accountability Office (GAO)* [. . .] is closed for all or part of the last day, the period extends to the next day on which *the agency* is open”) (emphasis supplied). Moreover, while not dispositive, contrary to our typical practice for agency closures there was no notice issued to EPDS account holders or in EPDS indicating that our agency was closed or that EPDS would be unavailable.¹ In addition, notwithstanding the lack of a notice from GAO, the protester was on constructive notice that EPDS was operational due to filings made by both the intervenor and the agency on January 26 and 27. See, e.g., *Silverback7, Inc.--Recon.*, B-415311.9, Nov. 15, 2018, at 2 (concluding our regulations establish that the act of filing a document in EPDS puts all parties on notice of the filing, essentially establishing a rule of constructive notice with respect to all EPDS filings).

Despite this evidence contradicting the protester’s view that our agency was closed and the unequivocal requirement set forth in our Bid Protest Regulations, 4 C.F.R. § 21.3(i)(2), that a protester must file comments within 10 days of the filing of the agency report or our Office shall dismiss the protest, the protester took no steps to confirm its understanding was correct or to respond to the agency’s request for dismissal until after we dismissed the protest, two days following the deadline for comments. To be clear, the protester makes no arguments that it was prevented from responding to the agency’s request for dismissal by any technical or logistical barrier--rather the protester elected not to respond based on its unilateral interpretation of both GAO’s operating status and our regulations. A protester ignores a request to dismiss its protest for failing to meet a mandatory filing deadline at its own peril. Because the protester could have made the arguments it now raises during the original protest, and did not, this fails to meet our minimum standard for a request for reconsideration.

Moreover, even if we were to reach the merits of the protester’s argument that our agency was “closed” for purposes of tolling the deadline to file its comments pursuant to 4 C.F.R. § 21.0(d), we do not agree that our decision contained any errors of fact or law.

¹ For example, when GAO was closed from December 24 through December 26, 2025, all registered EPDS users received a notice *via* email stating that “GAO will be closed Wednesday, December 24 through Friday, December 26,” and specifically directed that “if a filing deadline falls on December 24, or December 26 (protest, supplemental protest, agency report, comments, etc.), under our Bid Protest Regulations, the time for filing will extend to Monday, December 29.” No such notice was issued by our Office for January 26 or 27. We also note that while GAO will typically provide such notice, our regulations do not require such notice be provided when GAO is closed.

As discussed above, while our headquarters building was closed on the dates in question, our agency was not closed--GAO continued its operations via telework and EPDS remained available for the protester to file its comments.

The protester's argument that our agency was closed primarily relies on an Office of Personnel Management (OPM) notice that federal offices in the D.C. area would be closed, but that argument is unpersuasive. Req. for Recon. at 1-2 (*citing* https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/status-archives/26/1/23/Office-Closure_3149/). First, as the protester acknowledges, GAO is a legislative branch agency that is not subject to OPM's guidance, so the OPM notice has no particular probative value concerning our operating status. *Id.* Second, even if the OPM notice was instructive as to GAO's operating status, the notice, by its terms, contemplated that agencies would continue their work *via* telework, which suggests that the OPM notice is not necessarily evidence that even the agencies to which it applied were, in fact, closed on those dates. See https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/status-archives/26/1/23/Office-Closure_3149/ (noting "**Maximum Telework is in effect**" and "**Telework Employees** are expected to work") (emphasis original). Accordingly, we do not agree that the protester had a reasonable basis to conclude that our agency was closed, especially in light of the fact that the protester was on constructive notice that EPDS remained available.²

Further, while our prior decisions do not address this specific situation (where our physical office is closed, but GAO operations continue *via* telework and EPDS remains available), we note that the general principles outlined in our prior decisions concerning snow closures support our conclusion. For example, in *Booz-Allen & Hamilton, Inc.-- Recon.*, B-225770.2, May 1, 1987, we explained that a "snow day" on which federal offices in the District of Columbia were closed but federal offices elsewhere were open is generally treated as a normal working day for computing timeliness. Moreover, while that decision explained that we would make an exception to this rule where the snow day fell on the tenth day for filing, that exception was premised solely on the fact that, in that pre-electronic filing era, it would be "inequitable to end the timeliness period on a day when it would have been *impossible* for the protester to file." *Id.* (emphasis added). The decision goes on to note that where filing impossibility is not a consideration, we treat a snow day like any other working day. *Id.* Here, it is not disputed that it was possible for the protester to have filed its comments in EPDS on January 26, and accordingly the protester was required to do so. 4 C.F.R. § 21.3(i)(2).

² We note that our Office received several inquiries concerning our operating status on January 27 and 28 from parties in other cases, and we advised them, notwithstanding the fact that our physical headquarters was closed, that GAO remained open for purposes of calculating time.

For those reasons, even if we were to consider the protester's request for reconsideration on the merits, we see no basis to conclude that our decision contained either errors of fact or law.

The request for reconsideration is dismissed.

Edda Emmanuelli Perez
General Counsel