



Decision

Matter of: Sterling Readiness Rounds, LLC--Reconsideration

File: B-424607.2

Date: October 13, 2026

Donald Death, for the requester.
Nicholas Pantages, Esq., Department of Veterans Affairs, for the agency.
Sarah T. Zaffina, Esq., and Alexander O. Levine, Esq., Office of the General Counsel,
GAO, participated in the preparation of the decision.

DIGEST

Request for reconsideration of decision dismissing a protest for failure to submit comments on the agency report is denied where the requester does not show that our prior decision contains errors of fact or law or information not previously considered.

DECISION

Sterling Readiness Rounds, LLC, a small business of Lawrence, Kansas, requests that we reconsider our decision dismissing its protest alleging that the Department of Veterans Affairs (VA) improperly issued sole source solicitation No. 36C10B26Q0352 for Walsh software licenses and services that unduly restricts competition. Sterling argues that it had reason for failing to file comments on the agency report by the established deadline and that, accordingly, we should reconsider our dismissal.

We deny the request.

BACKGROUND

Sterling filed a protest with our Office on June 26, 2026, arguing that the agency improperly issued a sole source solicitation for annual software licensing and reporting services for the brand name Walsh Quality Assurance Inspection Platform.¹ Protest

¹ The protest was filed on June 25, 2026, at 9:42 p.m. Eastern Time. Under section 21.0(g) of our Bid Protest Regulations, a document is filed on a particular day when it is received in the Electronic Protest Docketing System (EPDS) by 5:30 p.m., Eastern
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at 1, 3. The agency filed its report early in EPDS on July 24, and marked it “protected.”² *Sterling Readiness Rounds, LLC*, B-424607, Aug. 5, 2026 (unpublished decision), Electronic Protest Docketing System No. 6. As Sterling is self-represented, no protective order was issued in this matter, and in such cases a protester cannot view or download any documents marked protected. The VA did not file a redacted version of the agency report or email one to Sterling and GAO was unaware that Sterling had not received a copy of the agency report that it could view.³ Because the agency report was filed on July 24, Sterling’s comments were due on Monday, August 3, by 5:30 p.m. Eastern Time. 4 C.F.R. § 21.3(i)(1) (stating “[c]omments on the agency report shall be filed within 10 days after the agency has filed the report”).⁴

On Monday, August 3, at 8:57 p.m. Eastern Time, Sterling emailed GAO and stated that it was unsure how to view the protected agency report and inquired whether the deadline to file comments still applied or if it had changed. Email from Sterling to GAO, Aug. 3, 2026 (8:57 p.m. Eastern Time). This was the first time Sterling contacted GAO about the protester’s inability to access the agency report. Sterling did not submit comments on the agency report by the established deadline, and, as a consequence, the protest was dismissed in accordance with our Bid Protest Regulations. *Sterling Readiness Rounds, LLC*, B-424607, *supra*. This request for reconsideration followed on August 5.

DISCUSSION

Sterling requests that we reinstate the protest, arguing that nothing in the Acknowledgment of Protest instructs protesters about what to do if they encounter access issues related to the agency report or indicates that protesters are obligated “to raise an access problem before, rather than upon discovering, that problem.” Req. for

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Time. 4 C.F.R. § 21.0(g). Because the protest was filed after 5:30 p.m., it is considered filed the following day on June 26.

² Parties have the option to mark their filings as protected or not protected. A protected marking indicates that the filing party has determined that the filing contains source selection sensitive, proprietary, or confidential information, and cannot be made public. Bid Protests at GAO: A Descriptive Guide, GAO-18-510SP (10th ed. 2018), at 1.

³ Agencies are expected to provide protesters with redacted copies of protected documents when the protester is not represented by counsel. *Id.* at 7 (“Where a protester is not represented by counsel (and, generally, in these circumstances, GAO will not issue a protective order), and documents are withheld from the protester, the agency still must provide documents or an explanation adequate to inform the protester of the basis of the agency’s decision.”).

⁴ Our Bid Protest Regulations state that “[f]iling a document in EPDS constitutes notice to all parties of that filing.” 4 C.F.R. § 21.0(g).

Recon. at 1-2. Sterling also argues that the “duty that controlled the outcome here exists only in case law that a self-represented small business protester would have no occasion to know about.” *Id.* at 1. Finally, Sterling argues that “it did not sit on the report, and it did not delay after discovering it could not gain access.” *Id.* We have considered the requester’s arguments and find that none provide a basis for reconsideration.

Under our Bid Protest Regulations, to obtain reconsideration the requesting party must set out factual and legal grounds upon which reversal or modification of the decision is warranted, specifying any errors of law made or information not previously considered. 4 C.F.R. § 21.14(a), (c). A requester’s disagreement with our decision does not meet this standard. *Id.*; *Veda, Inc.--Recon.*, B-278516.3, B-278516.4, July 8, 1998, at 4. Here, the requester does not set forth any factual or legal grounds upon which reversal or modification of the decision dismissing its protest is warranted.

As stated in our dismissal of this protest, the filing deadlines in our Regulations are prescribed under the authority of the Competition in Contracting Act of 1984; their purpose is to enable us to comply with the statute’s mandate that we resolve protests expeditiously. 31 U.S.C. § 3554(a); *Keymiae Aero-Tech, Inc.*, B-274803.2, Dec. 20, 1996. To avoid delay in the resolution of protests, section 21.3(i) of our Regulations provides that a protester’s failure to file comments within 10 calendar days “shall” result in dismissal of the protest except where GAO has granted an extension or has established a shorter period. 4 C.F.R. § 21.3(i); *Wolverton Property Mgmt., LLC--Recon.*, B-415295.4, June 6, 2018 (dismissing request for reconsideration of decision dismissing protest for failure to submit comments in response to agency report).

Moreover, our decisions have consistently explained that a protester must notify GAO when it fails to receive the report by the due date specified in the acknowledgement package, including situations in which the protester is unable to download the report for any reason, and then request an extension to file comments because late receipt of the agency report does not automatically extend the period for submitting comments. See, e.g., *US21, Inc.--Recon.*, B-415045.10, July 16, 2018, at 3 (“[A] protester must notify GAO when it fails to receive the report by the due date specified in the development letters and request an extension because late receipt does not alter the period for submitting comments.”); and see *TMC Global Prof'l Servs.--Recon.*, B-414937.2, Sept. 25, 2017, at 3 (“Our cases have explained that a protester’s late receipt of an agency report does not alter the period for submitting comments, unless the protester notifies our Office of its late receipt prior to the due date for comments established in the development letter.”). In a situation, like the one here where the agency report was filed but the protester could not access it, a protester cannot idly await its ability to download the agency report for an indefinite time, to the detriment of the protest system and our ability to resolve the protest expeditiously. *Id.* at 2-3.

Here, the record is clear, and the requester does not dispute the fact that it did not submit comments on the agency report by the established deadline; therefore, in accordance with section 21.3(i) of our regulations, the protest was dismissed. That

Sterling states it was not aware of its obligation to notify GAO of its inability to access the agency report and did not delay notifying GAO after discovering the access issue, does not negate the regulation's requirement that the protest be dismissed for failing to timely submit comments on the agency report. See *Wolverton Property Mgmt., LLC--Recon.*, *supra* at 3-4. It is incumbent on the protester to exercise the degree of diligence necessary to comply with the requirement to file comments on an agency report within 10 calendar days of the protester's receipt of the report. *Id.* at 3.

To satisfy our statutory mandate to resolve protests expeditiously and to maintain our role as a meaningful, efficient protest forum, we expect all parties to prepare and present their cases carefully and diligently. *Consolidated Mgmt. Servs., Inc.--Recon.*, B-270696.2, B-270696.3, Feb. 13, 1996, at 2. Our regulations do not distinguish between protesters that represent themselves *pro-se* and those that are represented by counsel. *AlphaSpaces--Recon.*, B-423971.3, May 4, 2026, at 5 n.4. A protester is not excused from complying with our regulations because it has made the choice to proceed without the assistance of counsel. *Id.*; see also *Consolidated Mgmt. Servs., Inc.--Recon.*, *supra*; *Service & Supply Int'l Ltd.--Recon.*, B-265651.2, Nov. 16, 1995, at 2.

In addition, Sterling fails to set out factual grounds for reversing or modifying our prior decision. In this regard, we do not agree with the requester that notifying our Office of its inability to access the agency report after the deadline for filing comments had passed can be characterized as diligent pursuit of its protest. On the contrary, waiting to access the agency report until the day comments are due, and then emailing GAO after the deadline has passed, fails to demonstrate the degree of diligence required of a protester to carefully and meaningfully prepare and present its protest case. While Sterling is self-represented, the requester is not relieved of its responsibility to diligently pursue its protest grounds.

In sum, Sterling was required to file comments by August 3 and failed to do so. Sterling's failure to submit comments by the established deadline required dismissal of its protest in accordance with 4 C.F.R. § 21.3(i). Sterling's request for reconsideration fails to demonstrate that our prior decision contains any errors of law or information not previously considered, and we deny the request. *Sysco Corp.--Recon.*, B-418466.2, June 6, 2020 (denying request for reconsideration of decision dismissing protest for failure to submit comments in response to agency report).

The request is denied.

Edda Emmanuelli Perez
General Counsel