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Mr. Carter

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-198952.2

DATE: October 5, 1981

MATTER OF: Space Age Surveyors - Request for
Reconsideration

DIGEST:

Request by agency for reconsideration received more than 10 working days after agency knew of basis for request is untimely. 4 C.F.R. § 21.9 (1981).

On July 21, 1981, the United States Forest Service (USFS) filed a request that we reconsider the second part of our decision in the case of Space Age Surveyors, B-198952, et al., June 9, 1981, 81-1 CPD 469, in which we took exception to a geographic restriction which limited potential offerors on USFS surveying contracts to surveyors having an office within a specified distance from the jobsite. We found USFS's actual requirement to be for a surveyor with experience in the vicinity of the job rather than for a surveyor whose office is in a specified locale. The USFS's request for reconsideration is based on information known to the USFS no later than the date it received our decision.

Our Bid Protest Procedures, 4 C.F.R. part 21 (1981), require that requests for reconsideration be filed within 10 working days of the date on which the requester knew or should have known of the basis for its request for reconsideration. 4 C.F.R. § 21.9 (1981). Since this request was not filed within 10 working days of when the USFS received our decision, it is untimely. See Department of Commerce; International Computaprint Corporation, B-190203, August 2, 1978, 78-2 CPD 84.

We will, however, comment briefly because the USFS's request for reconsideration leads us to believe that the USFS has misinterpreted our prior decision to preclude all geographic limitations in its solicitations for surveying services. This is not the case.

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Our decision holds merely that it is not proper to restrict offerors to those having an office in a specified locale when the actual requirement is for someone with experience in that locale. It does not, therefore, preclude a reasonably based requirement that offerors have experience in the jobsite area.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel