



The Comptroller General  
of the United States

Washington, D.C. 20548

*Cunningham*

## Decision

**Matter of:** Miller Gove Travel Associates

**File:** B-236069

**Date:** July 24, 1989

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### DIGEST

Protest which was filed more than 10 working days after the basis of protest was known is untimely filed and will not be considered. See 4 C.F.R. § 21.2(a)(2) (1988).

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### DECISION

Miller Gove Travel Associates has protested the decision of the General Services Administration (GSA) to reject the company's proposal as untimely submitted under request for proposals (RFP) No. 9FBG-OLE-A-A0929189 which was issued by GSA for travel services for Alameda County, California.

We dismiss the protest.

Miller Gove states that its representative attended a GSA Travel Management Center meeting at the GSA Office in San Francisco, California, on April 27, 1989. At that meeting, Miller Gove states that it received a copy of the RFP, which showed an RFP closing date and time of June 15, at 3 p.m., as well as a copy of RFP Amendment No. 0001, which did not change the RFP's closing date or time. Miller Gove further states that it did not subsequently receive in the mail any other copy of the RFP or of amendment No. 0001.

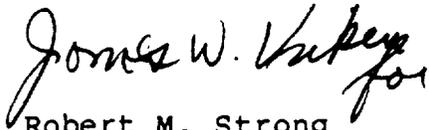
On June 15, Miller Gove states, it attempted to deliver its proposal to GSA at 3 p.m. but was told that the proposal could not be accepted "as the closing time had been changed, per Amendment No. 0001, to 2:00 p.m." Miller Gove says that it subsequently asked for (and received) a photocopy of the amendment (showing the revised closing time) which was supposedly mailed by GSA to the company prior to the RFP's closing date. This photocopy, Miller Gove says, carries the same amendment number and is exactly the same as the one which it was given on April 27 with the exception of the revised closing time.

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Miller Gove argues that it did not receive proper notice of the revised closing time and that its proposal should not have been rejected on June 15, at 3 p.m., when GSA knew that the company had previously been given an RFP amendment which showed this time as the correct closing time.

It is clear that Miller Gove was on notice of its basis of protest against GSA's rejection of its proposal as untimely submitted as of June 15 and that it was therefore obligated to file its present protest no later than 10 working days after June 15 or by June 29. See 4 C.F.R. § 21.2(a)(2) (1988). Consequently, Miller's Gove's protest, which was first filed on July 5, is untimely.

We dismiss the protest.

A handwritten signature in cursive script that reads "James W. Vukobratovic" with a large flourish at the end.

Robert M. Strong  
Associate General Counsel