

Review



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Corporate America Research Associates, Inc.
File: B-231644.2
Date: January 11, 1989

DIGEST

Protest against procuring agency's decision not to place prospective requirement for family services into the Small Business Administration's 8(a) program is untimely where protest was filed more than 10 working days after the protester learned of the basis of protest.

DECISION

Corporate America Research Associates, Inc. (CARA), protests the Naval Supply Center's decision not to place its prospective requirement for operation of the Family Service Center at the Marine Corps Naval Air Station, Beaufort, South Carolina, into the Small Business Administration's (SBA) 8(a) program. CARA contends that the Navy failed to follow certain regulations in deciding not to place the requirement into the SBA's 8(a) program.

We dismiss the protest as untimely.

In response to CARA's request that the prospective procurement be placed into the 8(a) program, by letter dated November 7, 1988, which CARA advises that it received on November 14, 1988, the Navy informed CARA that it intended to let the procurement as a total small business set-aside in December 1988. The letter further informed CARA that the Navy determined it not to be in the Navy's best interest to place the requirement into the 8(a) program.

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Our Bid Protest Regulations require that protests be filed (which means the date received by our Office) not later than 10 working days after the protest is known or should have been known, whichever is earlier. See 4 C.F.R. § 21.2(a)(2) (1988). CARA's protest was received in our Office on December 2, 1988. Since CARA, by its own admission, was aware of the basis of protest on November 14, we find that its protest is untimely because it was filed more than 10 working days later.

The protest is dismissed.

A handwritten signature in black ink, appearing to read 'R. M. Strong', written over a horizontal line.

Robert M. Strong
Associate General Counsel