



The timeliness provision of our bid protest regulations relevant to this protest, PCM 2-407.8 (d) (3), provides:

...protests must be received not later than 10 working days after the information on which they are based is known or should have been known, whichever is earlier;

Seitz was informed on July 21 of the basis for its protest - that bids would continue to be received after July 20. We received Seitz' protest August 5, more than ten working days after the information on which it is based was known. The protest is therefore untimely.<sup>17</sup> We are without authority to consider a protest which is untimely. Southern California Copico, Inc., P.S. Protest No. 83-2, August 31, 1983.

The protest is dismissed.

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**[checked against original JLS 3/3/93]**

<sup>21</sup>Seitz' protest is also untimely under PCM 2-407.8 (d) (1) which requires protests based upon alleged deficiencies in the solicitation to be received by the date and time set for receipt of offers. That the contracting officer reserved the right to consider offers received after the date set for receipt of offers was clearly spelled out in the language from paragraph 7 of the Advertisement for Space quoted above. The time to protest that reservation was before July 20, the date set for receipt of offers.