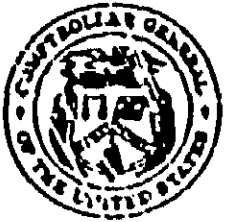


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Comptroller General  
of the United States

1059242

Washington, D.C. 20548

## Decision

Matter of: USAir, Inc.  
File: B-258271.3  
Date: February 24, 1995

### DECISION

USAir, Inc. protests the General Services Administration's (GSA) award of a contract for providing air passenger transportation services on several routes to Continental Airlines pursuant to request for proposals (RFP) No. FCXS-T4-940004-N. USAir contends that it offered superior non-stop service and, therefore, GSA should have awarded it, instead of Continental, a contract for these routes.

We dismiss the protest as untimely because it was filed more than 10 days after the protester knew, or should have known, of the basis for its protest.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests. Under these rules, protests not based upon alleged improprieties in a solicitation must be filed no later than 10 working days after the protester knew, or should have known, of the basis for protest, whichever is earlier. 4 C.F.R. § 21.2(a)(2). Here, USAir was notified on January 17, 1995, that a contract was awarded to Continental for the protested line items. The flight information which forms the basis for USAir's protest (i.e., whether Continental provides non-stop flights and the number of non-stop flights, if any, for particular routes) was available to USAir from the Official Airline Guide and computerized reservations systems when USAir was notified of the awards. Nonetheless, USAir waited until February 14 to file the protest in our Office. As the protest was filed more than 10 working days after USAir should have known its protest basis, the protest is untimely.

The protest is dismissed.

Handwritten signature of Michael R. Golden in cursive.

Michael R. Golden  
Assistant General Counsel