

Becker



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: International Services, Inc.

File: B-270763

Date: January 16, 1996

DECISION

International Services, Inc. protests the rejection of its offer by the General Services Administration under solicitation No. GS-09P-95-KSD-0117. International Services contends that it was not afforded sufficient time to properly submit its offer after the issuance of amendment No. 5.

We dismiss the protest as untimely because it was not filed before the next time set for proposal receipt after the changes made by amendment No. 5.

Our Bid Protest Regulations contain strict rules for the timely submission of protests. These rules require that a protest based upon an alleged impropriety in a solicitation that is apparent prior to the closing time for receipt of proposals be filed before that time. Section 21.2(a)(1), 60 Fed. Reg. 40,737, 40,740 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.2(a)(1)). This rule includes challenges to alleged improprieties that did not exist in the initial solicitation but which subsequently were incorporated. In such cases, the solicitation must be protested not later than the next closing time for receipt of proposals following the incorporation. NASCO Aircraft Brake, Inc., B-237860, Mar. 26, 1990, 90-1 CPD ¶ 330. In this case, International Services was required to protest the lack of sufficient time to respond to amendment No. 5's requirements prior to the next closing time, but did not protest until after the rejection of its offer.

The protest is dismissed.

Comptroller General
of the United States

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