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DECISION



W.D. MacFarther, PL I
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

FILE: B-192260

DATE: August 10, 1978

MATTER OF: Tractor & Equipment Co.

DIGEST:

Protest against manner in which bidders were required to submit prices on procurement which was filed after bid opening is untimely filed and consequently not for consideration.

The Tractor & Equipment Co. protests the requirement in General Services Administration solicitation No. GSW-8FWX-80006 that parts be offered at their cost to the manufacturer and that the prices bid should be in fixed hourly labor rates for an entire year. Bids on the procurement, we are advised, were opened on June 14, 1978. The Tractor & Equipment Co. protested this required manner of pricing by letter of June 20, which was received by our Office on June 27.

It is required in our Bid Protest Procedures at 4 C.F.R. § 20.2(b)(1) (1977) that protests against alleged improprieties in a solicitation which are apparent prior to bid opening must be filed with our Office (or with the procurement office) prior to bid opening. Since the present protest was not filed until after bid opening, it is untimely filed and, consequently, not for our consideration on the merits.

Wilton J. Houston
for Paul G. Dembling
General Counsel