

DOCUMENT RESUME

OA137 - [C3428552]

**[Untimely Protest Alleging Specification Deficiencies].
E-193437. December 5, 1978. 1 pp.**

Decision re: California Computer Products, Inc.; by Milton J. Socolar, General Counsel.

Contact: Office of the General Counsel: Procurement Law I.

Organization Concerned: Library of Congress.

Authority: 4 C.F.R. 20. B-190996 (1978).

A company alleged specification deficiencies in a procurement. The basis for protest was known prior to bid opening, but since the protest was not filed until after bid opening, it was untimely. (ERS)

DECISION

Siegel - S. J. S. - PL - CG
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

852

FILE: B-193437

DATE: December 5, 1978

MATTER OF: California Computer Products, Inc.

DIGEST:

Protest alleging specification deficiencies which is filed after the closing date for receipt of proposals is untimely and not for consideration on the merits.

California Computer Products, Inc. (Calcomp), protests alleged specification deficiencies in request for proposals (RFP) No. 78-78, issued by the Library of Congress on September 11, 1978, for the procurement of certain automatic data processing disk subsystems.

The allegations relate to deficiencies in the RFP. Section 20.2(b)(1) of our Bid Protest Procedures, 4 C.F.R. 20.2(b)(1) (1978), provides that a protest based upon an alleged impropriety in any type of solicitation, which is apparent prior to bid opening or the closing date for receipt of initial proposals, must be filed "prior to bid opening or the closing date for the receipt of initial proposals." We understand from the Library of Congress that the closing date for receipt of proposals was November 7, 1978. The protester's communication to this Office, however, was received after the close of business on that date. Consequently, the protest is untimely and not for consideration on the merits. See Complete Building Maintenance Co., Inc., B-190996, January 19, 1978, 78-1 CPD 52; Universal Building and Maintenance, Inc., B-190996, January 31, 1978, 78-1 CPD 85.

The protest is dismissed.

Handwritten signature of Milton J. Socolar in cursive.

Milton J. Socolar
General Counsel