

**DOCUMENT RESUME**

**08155 - (C3488595)**

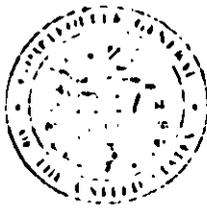
**[Untimely Protest Alleging Improper Resolicitation]. B-193328.  
December 13, 1978. 2 pp.**

**Decision re: J. A. Childs Construction Co.; by Milton J.  
Socolar, General Counsel.**

**Contact: Office of the General Counsel; Procurement Law I.  
Organization Concerned: General Services Administration.  
Authority: 4 C.F.R. 20. B-190996 (1978). B-191023 (1978).**

**A company protested award of a contract, contending  
that a second solicitation did not make any significant changes  
in the work from the original solicitation and that the second  
solicitation was improper. The protest was untimely filed after  
bid opening and was not considered. (RRS)**

DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

8575

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FILE: B-193328

DATE: December 13, 1978

MATTER OF: J. A. Childs Construction Company

DIGEST:

Protest after bid opening on resolicitation alleging that resolicitation was improper is untimely and will not be considered under Bid Protest Procedures.

J. A. Childs Construction Company (Childs) has protested against the award of any contract under the resolicitation for bids on General Services Administration project No. NAL76114.

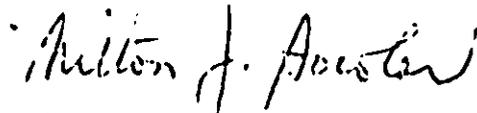
The contracting officer rejected the original bids for the project on the basis that they were above the allocated amount. Bids were resolicited and were opened on October 26, 1978. Childs submitted its second bid and, after the bid opening, protested that there was no significant change in the work over the original solicitation and that therefore, the resolicitation was improper.

The Bid Protest Procedures, 4 C.F.R. § 20.2(b)(1) (1978), in pertinent part, state:

"Protests based upon alleged improprieties in any type of solicitation which are apparent prior to bid opening or the closing date for receipt of initial proposals shall be filed prior to bid opening or the closing date for receipt of initial proposals. \* \* \*"

Since Childs did not protest the impropriety until after the bid opening, the protest is untimely and not for consideration on the merits. Universal Building and Maintenance, Inc., B-190996, January 3, 1978, 78-1 CPD 85; Abbott Power Corporation, B-191023, January 31, 1978, 78-1 CPD 86.

Accordingly, the protest is dismissed.

A handwritten signature in cursive script that reads "Milton J. Socolar". The signature is written in dark ink and is positioned above the printed name.

Milton J. Socolar  
General Counsel