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DECISION



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

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FILE: B-193589 DATE: January 15, 1979

MATTER OF: Space Services of Georgia, Inc.

DIGEST:

Protest questioning [response time for sub-
mission of bid filed after bid opening] is
untimely and will not be considered on the
merits.

Space Services of Georgia, Inc. (Space Services) protests solicitation No. F33617-79-B-0001 for mess attendant services for Rickenbacker Air Force Base, Ohio on the ground that the bid response time was improperly short because it only had four days to survey the facility, prepare a bid, and obtain a bond.

Space Services claims that it was informed on November 2, 1978 that bid opening for the solicitation would be extended indefinitely but that it received modification 0002 on November 13, 1978 which established November 17, 1978 as the bid opening date. We received the protest on November 21, 1978.

Our Bid Protest Procedures at 4 C.F.R. 20.2(b)(1) (1978) provide that:

"Protests based on alleged improprieties in any type of solicitation which are apparent prior to bid opening * * * shall be filed prior to bid opening * * *."

Inasmuch as the protest questions the time available to bidders for the preparation and submission of bids, it concerns an alleged impropriety in the solicitation which was apparent on November 13, 1978, four days prior to the November 17 bid opening date. Nonetheless, the protester waited a week (the protest was sent by "mail-gram" dated November 20, 1978) after the basis of its

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protest became known to transmit a protest to this Office. Under these circumstances, the protest is untimely and not for consideration on the merits. See, e.g., Chambers Consultants and Planners, B-192465, August 18, 1978, 78-2 CPD 134.



Milton J. Socolar
General Counsel