



DECISION

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

9315

FILE: B-193726

DATE: March 7, 1979

MATTER OF: Plasmadyne

DLG 01050

DIGEST:

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

Plasmadyne, a division of Goetel, Inc. (Plasmadyne) protests specification deficiencies in request for proposals (RFP) No. N00612-78-R-0291, issued by the Naval Supply Center (Navy), Charleston, South Carolina for the procurement of plasma spray equipment. Plasmadyne contends the specifications are unclear and restrictive.

AGC 0088

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 Navy that the closing date for receipt of proposals was December 14, 1978. The protest was filed on December 18, 1978.

Consequently, the protest is untimely filed 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.

Milton J. Socolar
General Counsel

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