

# DECISION



11676 *Bashin Proc II*  
THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-195342

DATE: October 16, 1979

MATTER OF: Lanier Business Products, Inc. *CNG-01045*

DIGEST:

*Protest Alleging That Protesting Firm should Have Received Award Because it Submitted Lowest Quotation*

Protester challenging a purchase order under Federal Supply Schedule contract on the ground that protester's equipment was lowest priced is dismissed because only substantial issue, whether specifications were unduly restrictive, was untimely raised.

Lanier Business Products, Inc. protests award of purchase order DABT39-79-W-0215 for a central dictation system. The United States Army, Fort Sill, Oklahoma, placed the order with Dictaphone Corporation under its Federal Supply Schedule contract. *DL-603067*  
*CNG-01046*

Award followed evaluation of submissions by Lanier and Dictaphone in response to a request for quotations (RFQ) stating the Army's minimum needs. The Army found that Lanier did not meet four of the requirements. Lanier argues that it should have received the order because it submitted the lowest quotation.

However, as Lanier recognizes, its complaint actually is with the specifications issued by the Army which Lanier says are unduly restrictive. Lanier's objection in this regard was filed long after its initial protest was filed and indeed, more than a month and a half after award. Because Lanier knew from the RFQ that the Army required the features requested, its belated protest is untimely. 4 C.F.R. § 20.2 (1979).

The protest is dismissed.

*Milton J. Socolar*

Milton J. Socolar  
General Counsel

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