

**DECISION**



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

*118803*

FILE: E-207660 DATE: June 23, 1982  
MATTER OF: Burroughs Corporation

**DIGEST:**

Protest against rejection of late proposal is denied where circumstances are not within the exceptions of the "Late Proposal" clause of the solicitation.

Burroughs Corporation (Burroughs) protests the rejection of its late technical proposal for group III in negotiated solicitation No. N66032-81-R-0022 issued by the Automatic Data Processing Selection Office, Department of the Navy.

The protest is denied. We do so without obtaining a report from the contracting agency, since it is clear from the material furnished by Burroughs that the protest is without legal merit. Pacific Coast Welding & Machine, Inc., B-205874, January 15, 1982, 82-1 CPD 36.

The solicitation as amended required that technical proposals for group III be submitted by 2 p.m., May 3, 1982. Burroughs' proposal for group III was not received until 2:15 p.m., May 4, 1982. Since the late proposal did not meet any of the criteria provided in the "Late Proposals" clause in the solicitation, the proposal was rejected.

Essentially, Burroughs maintains that its proposal should not have been rejected. It argues that while initially it overlooked the fact that the proposal was required to be submitted by May 3, it submitted the technical proposal to the contracting agency as soon as it became aware of the requirement on May 4. This reason is not within the exceptions in the "Late Proposals" clause permitting the consideration of late proposals.

Our Office has held that an offeror has the responsibility for the delivery of its proposal to the proper place at the proper time. See Advance Business Service, Inc., B-204940, October 28, 1981, 81-2 CPD 359. Exceptions to the rule may be permitted only in the exact circumstances provided in the "Late Proposals" clause. International Technologies, Inc., B-203216, May 29, 1981, 81-1 CPD 427; Resource Analysis, Inc., B-202920, May 26, 1981, 81-1 CPD 410.

for  
Milton J. Fowler  
Comptroller General  
of the United States