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DECISION



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

FILE: B-210870.2

DATE: June 29, 1983

MATTER OF: MKB Manufacturing Corporation

DIGEST:

Protest alleging inadequacy of a solicitation is dismissed as untimely when filed more than six months after bid opening because GAO Bid Protest Procedures require filing prior to bid opening.

MKB Manufacturing Corporation (MKB) protests the award of a contract to McGraw Commercial Equipment Inc. by the Department of the Army under invitation for bids (IFB) No. DAAA09-82-B-0788. MKB contends the award was improper because the IFB's specifications were inadequate. Bid opening was on November 30, 1982.

Our Bid Protest Procedures require that a protest alleging improprieties in a solicitation which are apparent prior to bid opening, as is the case here, be filed prior to bid opening. 4 C.F.R. § 21.2(b)(1) (1983). Since MKB filed its protest after bid opening, it is untimely and will not be considered on the merits. Cobarc Services Inc., B-211618, May 9, 1983, 83-1 CPD 492.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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