

DECISION



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

FILE: B-212474

DATE: August 8, 1983

MATTER OF: The Swanson Corporation

DIGEST:

1. The question of whether a contracting officer's selection of the contract start-up date failed to give the awardee sufficient preparation time concerns a matter of contract administration, which is the contracting agency's responsibility, not GAO's.
2. A protest against a solicitation's failure to specify the date performance is to begin is untimely where filed after bid opening.

The Swanson Corporation protests the selection of a start-up date under a contract awarded to the firm for security guard services under solicitation No. D/L 83-8 issued by the Department of Labor. Swanson complains that, in selecting the date, the contracting officer failed to allot the firm sufficient time to prepare for contract performance.

We dismiss the protest.

Our bid protest function is reserved for considering whether the contract award process in a particular procurement complied with statutory, regulatory and other legal requirements. See 4 C.F.R. Part 21 (1983). The question Swanson raises concerning selection of a start-up date pertains to a post-award matter and, as such, falls within the ambit of contract administration, which is the function and responsibility of the contracting agency. See Delta Elevator Service Corporation, B-208252, March 23, 1983, 83-1 CPD 299. Therefore, we will not consider the question.

Swanson also alleges that applicable regulations required the solicitation to state the start-up date, which it did not here. Our Bid Protest Procedures require a protest based on an alleged solicitation impropriety

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that is apparent before bid opening to be filed before that time. 4 C.F.R. § 21.2(b)(1). Since Swanson did not file its protest with this Office until after bid opening, Swanson's challenge to the solicitation is untimely and therefore will not be considered. Edwards Enterprises, Inc., B-210818, March 8, 1983, 83-1 CPD 239.

The protest is dismissed.

J. H. Bailey Jr.
for Harry R. Van Cleve
Acting General Counsel