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DECISION



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

FILE: B-212689.2

DATE: August 31, 1983

MATTER OF: International Business Investments, Inc.

DIGEST:

Protest against procuring activity's failure to include wage determination in solicitation is dismissed as untimely since it was not filed before bid opening.

International Business Investments, Inc. (IBI), protests the failure of the Naval Supply Center, Jacksonville, Florida, to include a wage determination in solicitation No. N68836-83-B-0042. IBI contends that because of the lack of a wage determination or applicable union agreement the specifications are ambiguous and misleading. We dismiss the protest as untimely.

The Navy informally advises us that bids were opened on August 10, 1983. Our Office received IBI's protest on August 12, 1983.

Our Bid Protest Procedures provide that protests of alleged improprieties in a solicitation which are apparent prior to bid opening must be filed in our Office prior to that date. 4 C.F.R. § 21.2(b)(1) (1983). The alleged impropriety was apparent prior to the August 10, 1983, bid opening, and since IBI did not file a protest until after bid opening, the protest is untimely.

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

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