

**DECISION**

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

27461

**FILE:** B-214232**DATE:** February 22, 1984**MATTER OF:** Canadian Commercial Corporation**DIGEST:**

Rejection of a late proposal, although mailed at least 5 days before the due date for submission of initial proposals, was proper since the proposal was not sent by registered or certified mail.

Canadian Commercial Corporation (CCC) protests the rejection of its late proposal under request for proposals (RFP) No. N00600-84-R-0653 issued by the Washington Navy Yard, Department of the Navy, Washington, D.C. (Navy), for a lathe engine.

We deny the protest.

CCC claims that, although its proposal sent by insured mail by the Canadian Postal Service was received by the Navy after the due date for submission of initial proposals, its proposal should be considered because CCC mailed its proposal at least 5 days before the specified due date. CCC argues that the Canadian Postal Service will neither register packages weighing more than 500 grams (CCC's proposal weighed approximately 2,000 grams) nor certify mail bound for destinations outside Canada.

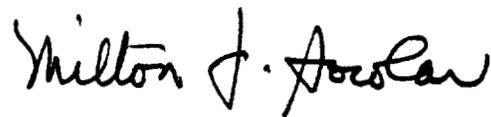
The solicitation permits the consideration of a late proposal only if it was sent by registered or certified mail 5 calendar days before the specified date, or late receipt was due solely to mishandling by the government after receipt at the government installation, or it is the only proposal received. (See Defense Acquisition Regulation § 7-2002.4) (Defense Acquisition Circular No. 76-183, March 12, 1979); Jets Services Inc., (B-212403.2, September 19, 1983, 83-2 CPD 314. The rule is well settled

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that it is the offeror's responsibility to assure timely receipt of its proposal and that the offeror must bear the responsibility for late receipt unless the specific conditions of the solicitation for the consideration of late proposals are met.

Since none of the exceptions apply, CCC's proposal was properly determined to be late.

We summarily deny the protest.

A handwritten signature in black ink, reading "Milton J. Aroslan". The signature is written in a cursive style with a large initial "M".

Acting Comptroller General  
of the United States