



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: United Air Specialists, Inc.

File: B-227929

Date: July 28, 1987

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### DIGEST

1. Protest that agency did not allow adequate proposal preparation time is untimely since it was filed after the closing date for receipt of proposals.
2. Proposal that was delivered late to the contracting office because of negligence by the courier service chosen by the offeror properly was rejected as late.

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### DECISION

United Air Specialists, Inc. (UAS), protests the General Services Administration's (GSA) rejection of UAS' bid as late. We dismiss the protest.

GSA issued the solicitation in April of 1987, with proposals due by June 11. UAS states that it received its copy on May 28. The responsible person in UAS was out of town until June 11, however; upon her return, she completed the offer and contracted a private courier service to deliver it to GSA that same day. Due to the courier's negligence (according to UAS), the offer was delivered the next day, after the closing date.

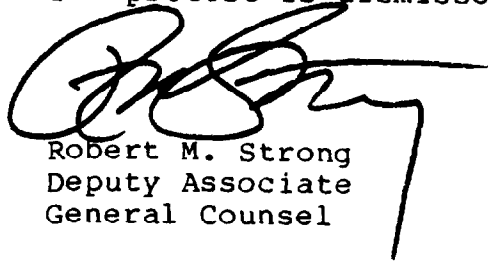
UAS protests that the period from March 28 to June 11 did not afford enough proposal preparation time. This issue, however, involves a perceived solicitation deficiency, and therefore should have been raised before the June 11 closing date. See Bid Protest Regulations, 4 C.F.R. § 21.2(a)(1) (1986). The protest, filed July 9, therefore is untimely in that regard.

Moreover, GSA properly rejected UAS' offer. A late offer that was hand carried by commercial carrier may be considered only if it was received before the contract was awarded and it is shown that government mishandling after timely receipt at the government installation was the

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paramount cause for the late receipt. G.M. Coen & Associates, Inc., B-225554, Feb. 12, 1987, 87-1 C.P.D. ¶ 156. Here, however, the delay in receipt was caused by mishandling by the courier service.

The protest is dismissed.

A handwritten signature in black ink, appearing to be 'R. Strong', is written over the typed name and title.

Robert M. Strong  
Deputy Associate  
General Counsel