



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Hydro Fitting Mfg. Corp.

File: E-257696

Date: June 27, 1994

DECISION

Hydro Fitting Mfg. Corp. protests the specifications under request for proposals No. SP0700-94-R-0232 issued by the Defense Logistics Agency.

We dismiss the protest as untimely because it challenges an alleged impropriety in the solicitation that should have been protested before the initial closing time for submission of proposals. Here, the protester states that proposals were due on June 22, 1994, yet its protest was not filed in our Office until June 23.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests. These rules specifically require that protests based upon alleged improprieties in a solicitation which are apparent prior to the closing date for receipt of initial proposals must be filed prior to the closing time. 4 C.F.R. § 21.2(a)(1); Engelhard Corp., B-237824, Mar. 23, 1990, 90-1 CPD ¶ 324.

These timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc.--Request for Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to prevent these rules from becoming meaningless, exceptions are strictly construed and rarely used. Id.

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Associate General Counsel