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Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Honeywell, Inc.

File: B-257693

Date: June 27, 1994

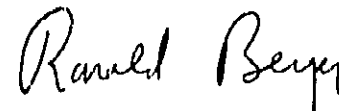
DECISION

Honeywell, Inc. protests the specifications of invitation for bids No. N62467-92-B-0799 issued by the Department of the Navy.

We dismiss the protest as untimely because it challenges an alleged impropriety in the solicitation that should have been protested before bid opening. Here, the protester states that bid opening was scheduled for June 21, 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 bid opening must be filed prior to bid opening. 4 C.F.R. § 21.2(a)(1); Manatts, Inc., B-237532, Feb. 16, 1990, 90-1 CPD ¶ 287.

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.


Ronald Berger
Associate General Counsel