



Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

**Matter of:** Weather Experts, Inc.

**File:** B-259067.2

**Date:** November 3, 1994

### DECISION

Weather Experts, Inc. protests the terms of solicitation No. DTFA14-94-B-33626, issued by the Federal Aviation Administration for weather observation services in Michigan. Weather Experts' protest, filed November 1, 1994, asserts that the solicitation's provision for a single award for all sites was improper. As acknowledged by Weather Experts this provision was clearly stated in the solicitation for which bids were opened on October 24.

We dismiss the protest as untimely because it challenged an alleged impropriety in the solicitation that should have been protested before bid opening.

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); Manatta, 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.

  
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