



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

Decision

Matter of: Mallinckrodt Nuclear Medical
File: B-261328
Date: May 11, 1995

DECISION

Mallinckrodt Nuclear Medical protests the restrictive specifications in solicitation No. 605-60-95 issued by the Department of Veterans Affairs.

We dismiss the protest as untimely because it challenges 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); *Manatts, Inc.*, B-237532, Feb. 16, 1990, 90-1 CPD ¶ 287.

In this regard, Mallinckrodt alleges that "requiring Sestamibi on a bid with other radiopharmaceutical constitutes an inequity to the bid process," and that it should be bid separately. However, this requirement was evident from the face of the bid and should have been protested prior to the March 23, 1995 bid opening.

Accordingly, the protest is dismissed.

Michael R. Golden
Michael R. Golden
Acting Associate General Counsel