

Becker



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Joannell Laboratories, Inc.

File: B-257559.3

Date: June 19, 1995

DECISION

Joannell Laboratories, Inc. protests the award of a contract to Cubic Defense Systems under solicitation No. N61339-94-R-0008 by the Department of the Navy. Joannell alleges that contract improperly includes work that should be set aside for small businesses such as itself.

The protest is untimely filed. 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.

In any event, this issue has already been considered and resolved in Titan Dynamics Simulations, Inc., B-257559, Oct. 13, 1994, 94-2 CPD ¶ 139. In that case, another company also protested that certain portions of the work should be set aside for small businesses. We denied that protest, finding that the agency reasonably bundled its requirements for award to a single contractor to achieve total system integration, reliability, and operational safety for all phases of design, development, and testing.

The protest is dismissed.


Ronald Berger
Associate General Counsel

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