

Maeder



Comptroller General
of the United States

315317

Washington, D.C. 20548

Decision

Matter of: International Resources Corporation

File: B-261860

Date: July 31, 1995

DECISION

International Resources Corporation (IRC) protests the specifications in request for proposals (RFP) No. N68925-94-R-A822, issued by the Department of the Navy, Navy Public Works Center, for hospital custodial services at the National Naval Medical Center, Bethesda, Maryland. IRC asserts that the evaluation factors in the solicitation are "incomplete, vague, inconsistent and ambiguous."

We dismiss the protest as untimely.

The RFP requested initial proposals by January 23, 1995, and set forth the following relevant evaluation factor:

"EXPERIENCE. This factor addresses the experience of the Offeror relevant to the requirements of the RFP. Qualifications required for the positions of the Project Managers/Certified Executive Housekeeper and Supervisors will be evaluated to ensure that they possess at least 5 years past experience with similar on-site management efforts and that the proposed position's technical, educational, and career development requirements and overall management expertise are adequate to ensure they possess the knowledge and expertise to carry out the RFP requirements."

IRC submitted its initial proposal by the January 23 due date. By letter dated June 20, the agency initiated discussions, asking that each offeror respond to written questions. Prior to the time set for receipt of responses, IRC protested to our Office, objecting to the stated evaluation factors. Specifically, IRC notes that while the solicitation specifies a minimum of 5 years past experience with similar on-site management efforts for managers/certified executive housekeepers and supervisors, the solicitation merely stated that technical, educational and career development requirements for these personnel were to be "adequate to ensure they possess the knowledge and expertise to carry out the RFP requirements." The protester

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alleges that the RFP is defective because it did not provide additional criteria/guidance and/or alternative minimum criteria for the technical, educational and career development requirements for these positions.

Under our Bid Protest Regulations, protests based upon alleged apparent improprieties in a solicitation must be filed prior to the closing time for receipt of initial proposals. 4 C.F.R. § 21.2(a)(1) (1995); Inland Marine Indus., Inc., B-249914; B-249918, Dec. 24, 1992, 92-2 CPD ¶ 442. Because IRC did not protest until after initial proposals were due, its protest is untimely.

Although IRC alleges that its protest is based on the discussion questions issued by the Navy on June 20, the discussion questions merely repeat the evaluation criteria listed in the RFP. Since the alleged impropriety in the solicitation was apparent on the face of the solicitation, to be timely, the protest had to be filed prior to the closing time.

The protest is dismissed.



Paul Lieberman
Assistant General Counsel