

J. Thomas



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: MRC/DESA Joint Venture

File: B-266187

Date: October 11, 1995

DECISION

MRC/DESA Joint Venture protests the terms of invitation for bids No. F25600-95-B-0139 issued by the Department of the Air Force. MRC/DESA contends that the specifications are defective.

We dismiss the protest as untimely because it challenges an alleged impropriety in the solicitation that should have been protested before bid opening. Bid opening occurred on September 12, 1995. MRC/DESA did not file a protest in our Office until September 18.

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.

The protest is dismissed.

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