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**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548**

FILE: B-192019

DATE: August 3, 1978

MATTER OF: Maryland Machine Tool Sales--  
Request for Reconsideration

**DIGEST:**

Prior decision dismissing protest as untimely is affirmed.

Maryland Machine Tool Sales (Maryland Machine) requests reconsideration of our decision Maryland Machine Tool Sales, B-192019, July 6, 1978, 78-2 CPD. In that decision we dismissed as untimely Maryland Machine's protest insofar as it concerned the rejection of its bids under three Navy solicitations because the protest was not filed within 10 working days of when Maryland Machine was notified of the rejections.

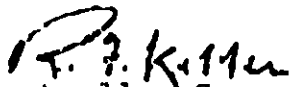
It appears from Maryland Machine's submissions that in each instance its bid was rejected because it offered machine tools which deviated from the Navy's specifications and that Maryland Machine protested the rejection of its bids (depending upon the solicitation involved) from four to five months thereafter.

Maryland Machine's request for reconsideration does not present any matters which were not initially considered by us: it simply asserts that because "procurement irregularities" occurred we should invoke the exceptions to our timeliness rules.

Our bid protest timeliness rules are not intended to insulate governmental agencies from criticism, but to establish a definite point where agencies can proceed with the normal administration of procurements without having to be concerned about whether the formation of the contract was valid. Although we do consider untimely protests which raise significant issues or where good cause is shown, we do not believe this protest meets either of these criteria.

Our decision of July 6, 1978, is therefore affirmed.

We have taken into consideration the protester's concern that the Navy may be issuing solicitations for machine tools that reflect more than its minimum needs and, therefore, may be overly restrictive of competition. Accordingly, we are retaining this information for possible use in any audit which may be undertaken of the Navy's procurement practices.

  
Deputy Comptroller General  
of the United States