

**DECISION**



*18676* *Cohen*  
**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

FILE: B-202819.2

DATE: June 30, 1981

MATTER OF: International Logistics Group, Ltd. --  
Reconsideration

**DIGEST:**

1. Untimely protest that purchase should have been made by competitive procurement rather than through sole-source award does not raise significant issue to invoke exception to GAO timeliness rules.
2. Where it is clear from protester's initial submission that firm has not complied with GAO filing requirements, protest will be dismissed without GAO's first obtaining report on merits from contracting agency.

International Logistics Group, Ltd. requests that we reconsider our decision International Logistics Group, Ltd., B-202819, May 19, 1981, 81-1 CPD 386, in which we dismissed the firm's protest against the refusal by the U.S. Army Tank-Automotive Command to allow International Logistics to bid on spare parts for armored cars being procured for the Kingdom of Saudi Arabia. The protester had sought cancellation of a contract for 579 cars, as well as weapons and component spare parts, awarded on a sole-source basis to the Cadillac Gage Company.

The reason for dismissal was that the protest was not timely filed according to the requirements in our Bid Protest Procedures, 4 C.F.R. part 20 (1980). International Logistics now contends that we should consider the matter under the exception to our timeliness rules in section 20.2(c) of our Procedures for "issues significant to procurement practices or procedures" because the Cadillac Gage Company allegedly improperly pressured the foreign buyer into insisting on the sole-source award. In this respect, Defense Acquisition Regulation § 6-1307 permits a foreign military sales customer to request that a defense article be obtained from a particular source.

*[Request For Reconsideration]*

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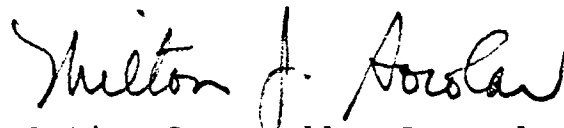
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International Logistics also suggests that we should have secured a report from the contracting agency on the protest's merits before declining to consider them. (See section 20.3(a) of our Procedures.)

The exception to our timeliness rules in section 20.2(c) of our Procedures, which is exercised sparingly so that our timeliness standards do not become meaningless, contemplates a protest which involves a procurement principle of widespread interest or which affects a broad class of procurements. See Lee Roofing Co., B-201154, March 16, 1981, 81-1 CPD 197; C.A. Parshall, Inc., B-200334, February 19, 1981, 81-1 CPD 112. In our view, the issue of whether a particular purchase should have been made by competitive procurement rather than through a sole-source award is not of sufficient interest to the procurement community to invoke that exception. Further, while International Logistics suggests that the Cadillac Gage Company's alleged activities may affect a number of armored car purchases by the Kingdom of Saudi Arabia, we do not consider the issue involved as affecting a broad class of procurements within the meaning of section 20.2(c)

Regarding our obtaining a report on the merits before dismissing the protest, where it is clear from a protester's initial submissions that the protester has not complied with our filing requirements so that we will not therefore review the issues raised, it would serve no useful purpose to delay our disposition of the matter for the receipt of a report from the contracting agency. See Armada, Inc., B-197175, January 22, 1980, 80-1 CPD 65.

Our May 19 decision is affirmed.



Acting Comptroller General  
of the United States