

DECISION



L - Cont

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

81-2 cpd 411

FILE: B-205331

DATE: November 19, 1981

MATTER OF: Dataproducts New England, Inc.

DIGEST:

Protest concerning solicitation's failure to provide for first article testing, provisioning technical documentation and technical manuals is untimely when filed subsequent to closing date for receipt of initial proposals.

Dataproducts New England, Inc. (DNE), protests the award of a contract under solicitation No. DAAG08-82-R-0004, issued by the Department of the Army for the purchase of carrier boards and strappable pads. DNE alleges that the solicitation is deficient because it does not provide for first article testing, provisioning technical documentation and technical manuals.

With respect to these alleged defects in the solicitation, the protester should have known of these defects prior to the closing date for receipt of initial proposals, which was on October 19, 1981, yet the Telex message conveying the protest was not sent until October 26, 1981, and was received by our Office on October 27, 1981.

Under our Bid Protest Procedures, protests of alleged solicitation deficiencies that are apparent prior to the closing date for receipt of initial proposals must be filed prior to the closing date. 4 C.F.R. § 21.2(b)(1981). See DK Associates Inc., B-199010, January 19, 1981, 81-1 CPD 30.

The protest dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

gc