

Becker



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Configuration, Inc.

File: B-270476 . 2

Date: December 12, 1995

DECISION

Configuration, Inc. protests certain terms of, and any award under, solicitation No. DACA27-96-B-0001, issued by the Department of the Army.

We dismiss the protest as untimely.

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. Section 21.2(a)(1), 60 Fed. Reg. 40,737, 40,740 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.2(a)(1)); Manatts, Inc., B-237532, Feb. 16, 1990, 90-1 CPD ¶ 287.

Configuration contends that the requirement that bidders be a Knoll/Westinghouse dealer is excessive and unfair. This requirement however was added to the solicitation by amendment No. 0001 on October 11, 1995; bid opening was scheduled for and held on November 21. Therefore, Configuration's arguments, to be timely, should have been filed prior to bid opening.

The protest is dismissed.

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