

*2<sup>d</sup> Section, P1-1*

**DECISION**



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

9358

**FILE: B-192943**

**DATE: November 15, 1978**

**MATTER OF: Briggs Engineering and Testing Co., Inc.**

**DIGEST:**

Protest filed with contracting agency after closing date for receipt of proposals against allegedly unreasonable and prejudicial response time allowed for preparation of proposals which was apparent prior to closing date for receipt of proposals is untimely and not for consideration under section 20.2(b)(1) of Bid Protest Procedures.

Briggs Engineering and Testing Co., Inc. (Briggs), requests further consideration of our decision Briggs Engineering and Testing Co., B-192943, October 3, 1978. In that decision we held that the protester's hand-carried proposal received after the time specified in the solicitation for receipt of proposals because of a traffic delay was properly rejected by the General Services Administration (GSA).

Briggs does not question the validity of that decision. However, the protester does request a consideration of its allegation that it had an inadequate time for the preparation of its bid on GSA Project No. RMA 78553, an issue mentioned vaguely in its initial protest to our Office on September 14, 1978, and one it had earlier raised with GSA.

Briggs did not protest to GSA the amount of time allotted for the preparation of proposals until August 29, 1978, a considerable time after the closing date set for the submission of proposals on August 14, 1978. Under our Bid Protest Procedures, 4 C.F.R. § 20.2(b)(1) (1977), a protest based upon an alleged impropriety in a solicitation which is apparent prior to the closing date for receipt of proposals must be filed prior to the closing date for receipt of proposals in order to be considered

by our Office. Since the allegedly unreasonable and prejudicial response time allowed for the preparation of proposals was an apparent impropriety in the solicitation, the protest to the contracting agency after award was untimely and will not be considered on the merits. Dynatrend, Incorporated, B-190886, March 16, 1978, 78-1 CPD 213.

Accordingly, the protest is dismissed.



Milton J. Bocolar  
General Counsel