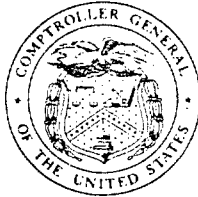


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**DECISION**



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

FILE: B-196035

DATE: October 1, 1979

MATTER OF: Telex Computer Products, Inc.

LCN 601831

DIGEST:

[Protest alleging specification deficiencies which is filed after closing date for receipt of initial proposals is untimely and will not be considered on merits.]

By letter received in this Office on September 11, 1979, Telex Computer Products, Inc. (Telex) protests the award of a contract under request for proposals (RFP) No. 79-13, issued by the Equal Employment Opportunity Commission. AGC00440

Telex alleges the RFP unreasonably restricts competition by requiring IBM brand name equipment only. Telex also alleges that the delivery date called for by the RFP should be extended and that the method of cost evaluation set forth in the solicitation is deficient. CNG00961

These allegations relate to deficiencies in the RFP. Our Bid Protest Procedures provide that a protest based upon an alleged impropriety in any type of solicitation, which is apparent prior to bid opening or the closing date for receipt of initial proposals, must be filed "prior to bid opening or the closing date for receipt of initial proposals." 4 C.F.R. § 20.2 (1979). The closing date for receipt of initial proposals was September 7, 1979. Since the protest was not filed until September 11, 1979, it is untimely and will not be considered on the merits. Palmetto Enterprises, Inc., B-190042, September 29, 1977, 77-2 CPD 244.

*Milton J. Socolar*

Milton J. Socolar  
General Counsel

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