

DECISION



PL I
per phone call 3721
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

FILE: B-198520

DATE: May 14, 1980

MATTER OF: Yale Industrial Trucks

DLG 04620

DIGEST:

[Protest alleging solicitation improprieties (inadequate and unduly restrictive specifications) filed after bid opening is untimely and not for consideration on merits.

AGC00001

The Department of the Navy (Navy) issued solicitation No. NOO104-80-R-ZH39 VAH for the procurement of three forklift trucks. Bids were opened on April 18, 1980.

By letter dated April 18, 1980, Yale Industrial Trucks (Yale) protested that the specifications were inadequate and unduly restrictive. Yale's protest was filed (actually received) in our Office on April 21, 1980, 3 days after bid opening.

Our Bid Protest Procedures, 4 C.F.R. § 20.2(b)(1) (1980), provide that:

"Protests based on alleged improprieties in any type of solicitation which are apparent prior to bid opening * * * shall be filed prior to bid opening * * *."

Since Yale's protest alleging solicitation improprieties was not filed until after bid opening, the protest is untimely and not for consideration on the merits. Space Services of Georgia, B-193589, January 15, 1979, 79-1 CPD 22.

B-193589 (1979)

Harry R. Van Cleave
for Milton J. Socolar
General Counsel

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