

**DECISION**



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

*Fitzmaurice*  
119018

FILE: B-208142

DATE: July 22, 1982

MATTER OF: Diversified Computer Consultants

**DIGEST:**

Protest against agency's specifications for automatic data processing equipment is dismissed as untimely since protest was not filed in GAO prior to closing date for receipt of initial proposals as required by Bid Protest Procedures.

Diversified Computer Consultants (DCC) protests certain specifications contained in request for proposals (RFP) No. 2542, issued by the Federal Bureau of Investigation (FBI), United States Department of Justice.

The RFP solicited offers for automatic data processing equipment. DCC argues that the specifications are defective because, in effect, they require the successful awardee to furnish new, rather than used, equipment and also to furnish only IBM equipment. In DCC's opinion, these requirements are not necessary to satisfy the FBI's minimum needs.

We dismiss the protest as untimely.

Under our Bid Protest Procedures, any protest based on an alleged impropriety in the solicitation which is apparent prior to the closing date for the receipt of initial proposals must be filed (received) in our Office prior to that closing date. 4 C.F.R. § 21.2(b)(1) (1982).

According to DCC's initial protest letter, proposals were due on May 31, 1982. DCC's letter was dated June 29, 1982, and we received it on July 2, 1982. It is clear, then, that DCC's protest was not filed within the time-frame specified in our Bid Protest Procedures. The protest is therefore untimely and will not be considered on the merits. See University City Science Center, B-203717.2, July 31, 1981, 81-2 CPD 78.

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Protest dismissed.

*For* *J. H. Barclay, Jr.*  
Harry R. Van Cleve  
Acting General Counsel