

DECISION

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

FILE: B-206351

DATE: August 27, 1982

MATTER OF: Belden Corporation

DIGEST:

1. A postaward protest that an agency should have procured an item on a sole-source basis instead of competitively and should have required the awardee to submit a sample prior to award is untimely under GAO Bid Protest Procedures since the protest is based on alleged improprieties apparent in the solicitation and thus should have been filed prior to bid opening.
2. GAO will not review a protest that an agency should procure an item from the protester on a sole-source basis.

Belden Corporation protests the award of a contract for electrical cable to Standard Wire & Cable Co. under solicitation No. DAEA08-82-B-0019 issued by the Department of the Army. The solicitation sought a specific series and design of Belden cable or equal.

We dismiss the protest.

Belden makes two alternative allegations. First, Belden says that the Army should have procured the cable from Belden on a sole-source basis because another military agency recently determined that the same cable was the only suitable product available. In addition, Belden believes that the Army should have required Standard to submit, prior to award, a sample of its cable for technical analysis. A sample was not required by the solicitation for those bidders that offered allegedly "equal" products.

Under our Bid Protest Procedures, a protester must file prior to bid opening any protest based on alleged

improprieties apparent in the solicitation. 4 C.F.R. § 21.2(b)(1)(1982). Belden filed its protest with this Office after bid opening. Since both of Belden's allegations challenge alleged improprieties that are apparent on the solicitation's face, Belden's protest is untimely. See Ingersoll-Rand Company, B-203727, July 2, 1981, 81-2 CPD 6; see also Ingersoll-Rand Company, B-205792, January 8, 1982, 82-1 CPD 26.

In any event, we will not review a protest that an agency should procure an item from a particular firm on a sole-source basis, since the objective of our bid protest function is to insure full and free competition for Government contracts. See Thermionics Laboratory, Inc., B-196074, October 19, 1979, 79-2 CPD 273.

We dismiss the protest.

Harry R. Van Cleve
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Acting General Counsel