

DECISION

24185

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

FILE: B-210434**DATE:** February 1, 1983**MATTER OF:** Alabama Metal Products Co.**DIGEST:**

Protest allegation that the delivery schedule in an RFP is unduly restrictive is untimely and not for consideration on the merits since the protest was not filed prior to the closing date for receipt of initial proposals.

Alabama Metal Products Co. (AMPCO) protests the award of any contract under request for proposals (RFP) No. YNPS-SI-1406-N-12-30-82, issued by the General Services Administration (GSA) for several furniture items. AMPCO contends that the RFP is unduly restrictive because it contains a delivery schedule which it is unable to meet. AMPCO claims it could compete and offer the Government a lower price if the delivery schedule were extended by 1 month. We dismiss the protest as untimely filed.

Under our Bid Protest Procedures, protests based on alleged defects apparent on the face of an RFP must be filed prior to the closing date for receipt of initial proposals. See 4 C.F.R. § 21.2(b)(1). AMPCO's contention that the delivery schedule was unduly restrictive clearly is based on information contained in the RFP. Thus, AMPCO was required to assert this ground of protest prior to the December 30, 1982 closing date for receipt of initial proposals. Because AMPCO's protest was not received in our Office until January 11, it is untimely and will not be considered on the merits. See Phoenix Power Systems, Inc., B-207818, July 1, 1982, 82-2 CPD 11.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

0245241