

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

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FILE: B-213265.3**DATE:** March 28, 1984**MATTER OF:** ConvaQuip Industries, Inc.**DIGEST:**

Protest against alleged defect in solicitation filed after bid opening is untimely.

ConvaQuip Industries, Inc., protests after bid opening that Veterans Administration invitation for bids No. M3-Q1-84, which requires bid prices to include freight to the 50 states, Puerto Rico and the District of Columbia, made it impossible to bid intelligently, since it did not contain the percentage of units to be delivered outside the continental United States.

We dismiss the protest.

Our Bid Protest Procedures require protests based upon alleged improprieties in a solicitation which are apparent prior to bid opening to be filed prior to bid opening. 4 C.F.R. § 21.2(b)(1) (1983); C.W. Girard, C.M., B-210135, January 10, 1983, 83-1 CPD 25. Since this protest concerns an alleged defect in the solicitation which was apparent prior to bid opening, but was filed after bid opening, it is untimely and will not be considered on the merits.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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