

**DECISION**

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

28586

**FILE:** B-215411**DATE:** June 20, 1984**MATTER OF:** Certified Mechanical Contractors, Inc.**DIGEST:**

Protest against solicitation improprieties which was not filed prior to bid opening either with the agency or GAO is untimely filed under GAO Bid Protest Procedures, 4 C.F.R. § 21.2(b)(1) (1983).

Certified Mechanical Contractors, Inc. (CMCI), protests as unduly restrictive the provisions of invitation for bids (IFB) No. 535-60-84 issued by the Veterans Administration (VA).

We dismiss the protest.

Bids were opened on April 11, 1984. CMCI initially protested against the specifications to the VA on April 26, 1984, and CMCI's protest of the VA's denial of its April 26 protest was filed at GAO on June 1, 1984.

Our Bid Protest Procedures require that a protest based upon alleged improprieties in the IFB which are apparent prior to bid opening must be filed prior to bid opening. 4 C.F.R. § 21.2(b)(1) (1983); M & M Services, Inc., B-210818.2, March 25, 1983, 83-1 CPD 308. Since CMCI did not protest the alleged solicitation improprieties until after bid opening, its protest will not be considered.

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