

DECISION



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

29743

FILE: B-216596.2

DATE: November 5, 1984

MATTER OF: COMSEC Systems Corporation

DIGEST:

Protest that a solicitation allowed insufficient time for the preparation of proposals is untimely when not raised prior to the closing date for receipt of proposals.

COMSEC Systems Corporation protests any award of a contract for lightweight digital facsimile transmission systems under request for proposals (RFP) No. DAAB07-84-R-K024, issued by the U.S. Army, Fort Monmouth, New Jersey. We dismiss the protest as untimely.

The agency issued the RFP on July 19, 1984, and specified August 3 as the closing date for receipt of initial proposals. The basis for COMSEC's protest, filed here on October 24, is that the RFP allowed prospective offerors only 10 working days to prepare proposals in response to what COMSEC says was a very complex solicitation. COMSEC complains that the period allowed for preparation of proposals restricted competition generally and was particularly burdensome on small businesses, such as itself.

Our Bid Protest Procedures state that protests based upon alleged solicitation improprieties that are apparent prior to the closing date for receipt of proposals must be filed prior to that date. 4 C.F.R. § 21.2(b)(1) (1984). Here, the alleged failure to allow a sufficient proposal preparation period was apparent from the solicitation. Since COMSEC did not file its protest until after the closing date for receipt of proposals, the protest is untimely and will not be considered. Jensen-Kelly Corp., B-208685, et al., Jan. 10, 1983, 83-1 CPD
¶ 21.

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