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**DECISION**



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

**FILE:** B-218369

**DATE:** April 3, 1985

**MATTER OF:** Validyne Engineering Sales Corp.

**DIGEST:**

Protest that bid was improperly rejected is dismissed where bid did not offer item required by specification. If protester believed that specification was restrictive it should have protested prior to bid opening.

Validyne Engineering Sales Corp. protests the rejection of its bid for two transducers under invitation for bids (IFB) No. WNTC-3-85 issued by the U.S. Department of Agriculture, Soil Conservation Service. The protester contends that its bid was improperly rejected as the product it offered has the same performance characteristics as the transducer described in the specification. We dismiss the protest.

Validyne's bid was properly rejected because that firm did not offer the type of transducer required by the specification. If Validyne believed the specification was restrictive, to be timely under our Bid Protest Regulations its protest should have been filed with the contracting agency or our Office prior to bid opening. Bid Protest Regulations, 4 C.F.R. § 21.2(a)(1) (1985)). The bid opening date under the IFB was February 14, 1985; Validyne's protest was not filed with our Office until March 21.

*Ronald Berger*  
Ronald Berger  
Deputy Associate  
General Counsel

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