

Silhorly



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Instrument Technology, Inc.

File: B-225359.2

Date: December 8, 1986

DIGEST

Protest of IFB's lack of testing requirements is untimely where filed after bid opening.

DECISION

Instrument Technology, Inc. (ITI), protests award of a contract to any other bidder under invitation for bids (IFB) No. 0000-620081, issued by the United States Department of State for borescope kits.

We dismiss the protest.

ITI contends that all bidders' kits should have been subjected to a comprehensive test and evaluation before being considered for award to insure that they were of the same high quality as those previously supplied by ITI.

Our Bid Protest Regulations require that protests based on alleged solicitation improprieties that are apparent prior to bid opening must be filed before that date. 4 C.F.R. § 21.2(a)(1) (1986). Since ITI's protest of the IFB's failure to require testing for kits was first filed with our Office on November 26, 1986, after the September 26, 1986, bid opening, it is untimely and will not be considered. See C.R. Daniels, Inc., B-221313, Apr. 22, 1986, 86-1 C.P.D. ¶ 390.

A handwritten signature in dark ink, appearing to read "R. Strong", is written over the typed name of Robert M. Strong.

Robert M. Strong
Deputy Associate General Counsel

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