



The Comptroller General  
of the United States

Washington, D.C. 20548

*Cohen*

## Decision

Matter of:                    Nouveau Prosthetics  
File:                        B-225994  
Date:                        January 7, 1987

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### DIGEST

An agency may consider a proposal that is received after the date required in the solicitation only if one of the exceptions to the rule against considering late proposals applies. These exceptions do not contemplate the submission of an offer after the field of competition has been defined as of the specified date.

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### DECISION

Nouveau Prosthetics protests the Veterans Administration's refusal to consider a late offer from the firm in response to solicitation No. M1-Q15-87. The solicitation, which Nouveau received on December 6, 1986, required offers by December 22. Nouveau states that its director was ill and away from work from December 10 to 23, first returning to his office on December 24. For that reason, and because the solicitation was voluminous, Nouveau asks that it now be permitted to submit an offer.

We dismiss the protest.

An agency may consider a proposal that is received after the date required in the solicitation only if one of the exceptions to the rule against considering late proposals applies. ComPath Business Telephone Systems, B-213575, May 22, 1984, 84-1 C.P.D. ¶ 543. These exceptions do not contemplate the submission of an offer after the field of competition has been defined as of the specified date. See Federal Acquisition Regulation, 48 C.F.R. § 15.412, § 52.215-10 (1985); Harris Corp., PRD Electronics Division, B-209154, Oct. 13, 1982, 82-2 C.P.D. ¶ 332.

Since Nouveau's situation does not fit within an exception to the late proposal rule, the firm cannot be permitted to submit an offer under the VA solicitation. Harris Corp., PRD Electronics Division, B-209154, supra. In this respect, we note that during the period from December 6 to December 22

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Nouveau evidently did not request that the VA extend the due date even though the firm must have known that it could not submit an offer on time. See Creative Pultrusions, Inc.--Reconsideration, B-218732.2, May 15, 1985, 85-1 C.P.D. ¶ 553.

A handwritten signature in black ink, appearing to read 'R. Strong', is written over the printed name.

Robert M. Strong  
Deputy Associate  
General Counsel