



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Industrial Slings Company

File: B-225952

Date: January 14, 1987

DIGEST

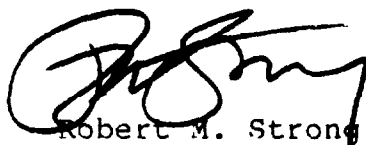
Protest that agency failed to request extension of bids and, therefore, should cancel invitation for bids, is untimely because it was filed more than 10 working days after the bid acceptance period expired, when the basis for protest was apparent.

DECISION

Industrial Slings Company (ISC) protests the Department of the Army's failure to cancel invitation for bids (IFB) No. DAAE07-86-B-J742. ISC contends that because the Army's evaluation of bids has extended beyond the 60-day bid acceptance period with no request to ISC to extend its bid, the bid has expired and the solicitation should be canceled.

ISC initially protested to the Army by letter of November 13, 1986, and subsequently protested to our Office on December 24. The Army has advised us that the 60-day bid acceptance period expired on October 12, and that only the two lowest bidders were asked to extend their bids (ISC was third low). Under our Bid Protest Regulations, protests of other than improprieties in a solicitation must be filed not later than 10 working days after the protester knew or should have known the basis for its protest. 4 C.F.R. § 21.2(a)(2) (1986). In this case, ISC should have known of the basis for its protest no later than October 12, when its bid expired. Since ISC did not file the protest within the time permitted under our regulations, the protest is untimely and will not be considered.

The protest is dismissed.


Robert M. Strong
Deputy Associate
General Counsel

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