



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Zee Best
File: B-247487
Date: February 7, 1992

Michael J. Rivers for the protester.
Catherine M. Evans, Esq., Office of the General Counsel,
GAO, participated in the preparation of the decision.

DIGEST

Where protest submission states that specific basis of protest is set forth in an enclosure, but does not contain any enclosure, general protest allegation that agency improperly handled protester's bid is dismissed for failure to set forth a legally sufficient basis.

DECISION

Zee Best protests the Federal Aviation Administration's (FAA) handling of its bid under invitation for bids (IFB) No. DTFA06-92-B-30011 for janitorial and grass cutting services.

We dismiss the protest.

Zee Best's protest letter states that "the enclosed copy of our letter to the FAA . . . is the basis of our protest. We contend that the FAA has acted irresponsibly and negligently in the handling of our bid." However, there was no enclosure in the envelope with the protest letter.

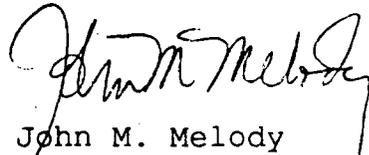
Our Bid Protest Regulations provide that a protest shall include a detailed statement of the legal and factual grounds of protest, 4 C.F.R. § 21.1(c)(4) (1991), and that the grounds stated be legally sufficient. 4 C.F.R. § 21.1(e). This requirement contemplates that protesters will provide, at a minimum, either allegations or evidence sufficient, if uncontradicted, to establish the likelihood of the protester's claim of improper agency action. Professional Med. Prods., Inc., B-231743, July 1, 1988, 88-2 CPD ¶ 2. Zee Best's simple assertion that the agency acted irresponsibly and negligently, without the explanation that was apparently intended to accompany it, does not meet this standard.

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While we have in some cases declined to dismiss a protest where it was clear that the agency was aware of the protest grounds, see, e.g., J.M. Cashman, Inc., B-220560, Nov. 13, 1985, 85-2 CPD ¶ 554; Rosemount, Inc., B-218121, May 16, 1985, 85-1 CPD ¶ 556, we will not apply that exception here. Although it appears that FAA may be aware of Zee Best's protest basis, Zee Best's conclusory submission to our Office does not allow us to determine whether the protest is timely under our Bid Protest Regulations or whether it may have legal merit. See Sector Tech., Inc., B-239420, June 7, 1990, 90-1 CPD ¶ 536.

Bid protests are serious matters which require effective and equitable procedural standards to ensure both that parties will have a fair opportunity to present their cases, and that protests can be resolved in a reasonably speedy manner. Amerind Constr. Inc.--Recon., B-236686.2, Dec. 1, 1989, 89-2 CPD ¶ 508. Accordingly, our Regulations contain strict filing requirements that place an affirmative obligation on the protester to file timely and detailed protests. Where, as here, the protester has not met its obligation, our consideration of the matter would be inconsistent with our goal of providing protesters a fair opportunity to have their objections considered without unduly disrupting the procurement process. Id.

The protest is dismissed.



John M. Melody
Assistant General Counsel