



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Allwest Systems, Inc.

**File:** B-256596

**Date:** April 8, 1994

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### DECISION

Allwest Systems, Inc. protests the award of contract No. GS-08P-93-JXC-0123 by the General Services Administration (GSA), contending that the solicitation was improperly issued on a sole-source basis. The protest was filed after bids were opened.

We dismiss the protest as untimely because it challenges an alleged impropriety in the solicitation that should have been protested before bid opening.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests. These rules specifically require that protests based upon alleged improprieties in a solicitation which are apparent prior to bid opening must be filed prior to bid opening. 4 C.F.R. § 21.2(a)(1); Manatts, Inc., B-237532, Feb. 16, 1990, 90-1 CPD ¶ 287.

These timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc.--Request for Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to prevent these rules from becoming meaningless, exceptions are strictly construed and rarely used. Id.

  
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