

McAuliffe 151876



Comptroller General  
of the United States

1128315

Washington, D.C. 20548

## Decision

**Matter of:** Scheduled Airlines Traffic Offices, Inc.

**File:** B-257292.4

**Date:** June 2, 1994

### DECISION

Scheduled Airlines Traffic Offices, Inc. (SatoTravel) protests the terms of request for proposals (RFP) No. DAHC22-94-R-0002, issued by the Department of the Army, for travel management services. SatoTravel, which filed this protest after the scheduled time for the receipt of proposals had passed, contends that the solicitation is flawed for including both official and unofficial (*i.e.*, leisure) travel services and providing for the contractor to pay certain fees in violation of the laws governing the expenditure of appropriated funds and the collection of public monies. The protester also challenges the RFP's consideration of unofficial travel factors in the evaluation of proposals for award.

We dismiss the protest as untimely because it challenges alleged improprieties in the solicitation that should have been protested before the initial closing date for submission of proposals.

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 the closing date for receipt of initial proposals must be filed prior to the closing time. 4 C.F.R. § 21.2(a)(1) (1994); Englehard Corp., B-237824, Mar. 23, 1990, 90-1 CPD ¶ 324.

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.--Recon.,  
B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to  
prevent these rules from becoming meaningful, exceptions are  
strictly construed and rarely used. Id.<sup>1</sup>

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<sup>1</sup>SatoTravel requests that our Office decide its protest even if found to have been untimely filed. The protester, however, has not shown good cause for its failure to file the protest in a timely manner, nor does the matter, although important to the protester, present an issue significant to the procurement community. 4 C.F.R. § 21.2(c).