



Comptroller General
of the United States
Washington, D.C. 20548

247139

Decision

Matter of: Hydro Fitting Manufacturing Corporation
File: B-258264
Date: September 13, 1994

DECISION

Hydro Fitting Manufacturing Corporation protests the rejection of its offer by the Defense Logistics Agency (DLA) under solicitation No. SP0370-94-R-1802, for adapters. DLA rejected the protester's offer because Hydro Fitting was not identified as an approved source for this item.

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.

A handwritten signature in black ink that reads "Ralph O. White".

Ralph O. White
Acting Assistant General Counsel