



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Shawn Systems, Inc.

File: B-261289

Date: May 15, 1995

DECISION

Shawn Systems, Inc. protests the method used to solicit request for proposals (RFP) No. IRS-95-0007 by the Department of the Treasury, Internal Revenue Service. Shawn states that "the method used to solicit a response to this RFP was unfair to 8(a) companies, that lacked the electronic means to track amendments."

We dismiss the protest.

We dismiss the protest as untimely filed on May 4, 1995, because it challenges an alleged impropriety in the solicitation that should have been protested before the initial closing time for submission of proposals in April, 1995.

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); Engelhard 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.-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.*

The protest is dismissed.

Michael Golden

Michael Golden
Acting Associate General Counsel