

# GAO

United States  
General Accounting Office  
Washington, D.C. 20548

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Office of the General Counsel

B-225467.2

November 21, 1986

**The Honorable Gus Yatron  
House of Representatives**

Dear Mr. Yatron:

We refer to your November 10, 1986, letter on behalf of Mr. Frank Schoch, president of Reading Products, Inc., concerning a bid protest the firm filed in our Office against the Department of the Navy's award of a contract to Royal Ordnance for Mark 22 components. Reading protested that the solicitation should have been restricted to small businesses.

Reading's November 6 submission showed that the contract already had been awarded, on October 29. We therefore dismissed the protest, on November 7, because our Bid Protest Regulations require that a protest based on an alleged impropriety in a solicitation be filed before the closing date for receipt of initial proposals. Our Regulations thus do not contemplate permitting a firm knowingly to enter an unrestricted competition, wait for the results, and then first protest that the procurement should have been restricted from the outset.

If you need any further information, my telephone number is (202) 275-5532.

Sincerely yours,



Robert M. Strong  
Deputy Associate  
General Counsel