



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

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FOR 30 DAYS

OFFICE OF GENERAL COUNSEL

B-222920

May 16, 1986

The Honorable G. William Whitehurst  
House of Representatives

Dear Mr. Whitehurst:

This responds to your letter dated April 14, 1986, regarding the rejection of Southern Systems, Inc.'s bid under invitation for bids No. DLA700-85-B-4616, issued by the Defense Construction Supply Center (DCSC).

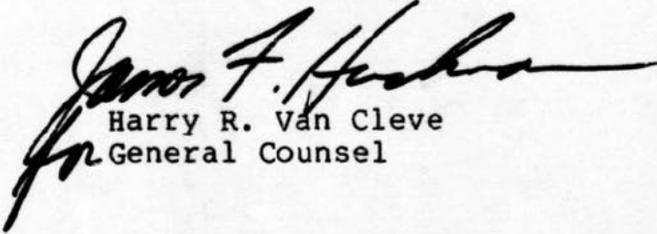
Although attached to your letter was a copy of a Southern Systems letter of protest addressed to this Office, dated March 21, 1986, alleging that DCSC improperly rejected Southern Systems' bid, we have no record of receiving that or any other letter from Southern Systems concerning the procurement in question. We are also advised by the contracting agency that it has not received from Southern Systems a copy of its protest letter. Thus, since Southern Systems did not protest the rejection of its bid and we did not receive your letter until more than 10 working days after the basis for protest was known, as required by our protest regulations, we would have to view any protest filed now as untimely.

We consider bid protests under the authority of section 2741(a) of the Competition in Contracting Act of 1984, 31 U.S.C.A. §§ 3551-3556 (West Supp. 1985), which requires the Comptroller General to prescribe procedures necessary for the expeditious decision of protests. Our timeliness rules reflect that requirement--they are designed to give parties a fair opportunity to present their cases and have them expeditiously resolved without unduly disrupting or delaying the procurement process. Our consideration of the protest at this time would not be consistent with that purpose.

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As you requested, we are returning the copy of  
Southern Systems' March 21 letter.

Sincerely yours,

  
Harry R. Van Cleve  
General Counsel

Enclosure