

# GAO

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

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Office of the General Counsel

B-224315.2

October 7, 1986

The Honorable Les Aspin  
Member, United States House  
of Representatives  
1661 Douglas Avenue  
Racine, Wisconsin 53404

Dear Mr. Aspin:

We refer to your letter of September 15, 1986, in which you request our review of the protest filed by Broderick & Bascom Rope Company (B&B). B&B protested the evaluation criteria used in request for proposals (RFP) N00140-85-R-2289, issued by the Department of the Navy for a quantity of wire rope.

By decision Broderick & Bascom Rope Company, B-224315, Sept. 19, 1986, 86-2 C.P.D. ¶ \_\_\_\_, we dismissed B&B's protest. B&B's protest of alleged improprieties in the solicitation was untimely filed with the contracting agency and accordingly its subsequent protest to the General Accounting Office (GAO) was also untimely filed. Our Bid Protest Regulations require that protests to GAO of alleged improprieties in a solicitation, initially filed with the contracting agency, must be filed with the agency prior to closing date for receipt of proposals for it to be considered timely. 4 C.F.R. §§ 21.2(a)(1) and (3) (1986). Since B&B filed its protest of the evaluation criteria in the solicitation after the closing date, we dismissed B&B's protest.

Sincerely yours,

*Harry R. Van Cleve*  
Harry R. Van Cleve  
General Counsel