

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-214667.2

DATE: May 1, 1984

MATTER OF: Allied Stenotype Reporters

DIGEST:

Protest alleging defects in a solicitation for stenographic services that was filed concurrent with bid opening is untimely since GAO Bid Protest Procedures require such protests to be filed prior to bid opening.

Allied Stenotype Reporters protests various provisions of invitation for bids No. D/L 84-5 issued by the Department of Labor.

Allied complains that the agency failed to allow sufficient time between the issuance of the solicitation and the date set for bid opening to permit prospective bidders to prepare their bids. It also contends that the solicitation contained a bid bond requirement that effectively precluded small businesses from competing. Bids on this solicitation for stenographic services were opened at 10 a.m., March 29, 1984. We received Allied's protest at 10 a.m., that same date.

Allied's protest concerns alleged improprieties in the solicitation that were apparent from its face. Under our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(1) (1983), such protests must be filed prior to bid opening. Since Allied's protest was filed concurrent with, but not prior to, bid opening, it is untimely. See Lamptek Co., B-206841, June 22, 1982, 82-1 CPD 616.

The protest is dismissed.

Harry R. Van Cleve

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