

DECISION



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

25652

FILE: B-212101

DATE: July 6, 1983

MATTER OF: DBA Systems, Inc.

DIGEST:

Oral extension of closing date for receipt of proposal is not binding on the Government.

DBA Systems, Inc. (DBA), protests the rejection of its proposal under request for proposals (RFP) No. DAAD05-83-R-0059 issued by Aberdeen Proving Ground, Maryland.

We summarily deny the protest.

DBA claims that on May 2, 1983, the contract negotiator for this RFP granted it an oral extension of the closing date for the receipt of the proposal from May 5 to May 9. The agency received DBA's proposal on May 9 and rejected it as late. DBA protests that this rejection is unjustified since it relied on the contract negotiator's extension and asks that its proposal be considered.

Even if the contract negotiator did grant an oral extension of the closing date, the extension is not binding on the Government. Mobility Systems and Equipment Company, B-208847, September 24, 1982, 82-2 CPD 275.

Since the protest is clearly without legal merit, we have decided the matter without requesting a report from the contracting agency. Minority Business Enterprises, Inc., B-211836, May 31, 1983, 83-1 CPD 583.

A handwritten signature in cursive script that reads "Milton J. Fowler".

Acting Comptroller General
of the United States

026068