

## DECISION



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

FILE: B-214928

DATE: April 23, 1984

MATTER OF: J.F. Edmonds, Inc.

## DIGEST:

Rejection of bid as nonresponsive is proper when bid is unsigned and not accompanied by other material indicating bidder's intention to be bound.

J.F. Edmonds, Inc. protests the rejection of its bid submitted in response to the Forest Service's solicitation No. R6-84-55J for campground improvements at the Ochoco National Forest, Oregon. The Forest Service rejected Edmonds' bid because it was unsigned. We summarily deny the protest.

Normally a bid which is not signed must be rejected because without an appropriate signature, the bidder would not be bound upon acceptance of the bid. Ace Art Company, Inc., B-202353, April 1, 1981, 81-1 CPD 252. That is why Federal Procurement Regulations § 1-2.405(c) (1964 ed.) provides that a failure to sign a bid may be corrected or waived as a minor informality only if the unsigned bid is accompanied by other material indicating the bidder's intention to be bound by the unsigned bid document.

Edmonds does not allege that its bid was accompanied by any other document reflecting its intention to be bound; it states only that the failure to sign was an oversight due to its reliance on the oral advice of a procurement official to delete the signature page of the solicitation which also contained an unnecessary bid guarantee provision. Under the circumstances, we must agree that the bid was properly rejected because it lacked a signature. See Nyahuma Kamau Macharia, B-207369, May 17, 1982, 82-1 CPD 472.

With regard to Edmonds' allegation that it acted to its detriment upon the oral advice of the procurement official, we have frequently held that bidders rely on oral advice at their own risk. See, e.g., NASCO Products Company, B-192116, November 27, 1978, 78-2 CPD 364. Further, Clause 1 of Standard Form 22, Instructions to

B-214928

Bidders (Construction Contract), specifically warns bidders that oral instructions given before the award of a contract will not be binding.

The protest is summarily denied.

A handwritten signature in black ink, reading "Milton J. Aoulan". The signature is written in a cursive style with a large initial "M".

Acting Comptroller General  
of the United States