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**DECISION**



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

**FILE:** B-218322

**DATE:** March 26, 1985

**MATTER OF:** Sandler-Innocenzi

**DIGEST:**

Where an amendment to a solicitation extending the date for receipt of offers does not specify an hour on the extended closing date, the hour remains as stated initially in the solicitation.

Sandler-Innocenzi protests the rejection of its bid as late under request for proposals (RFP) No. BGF0-84-45, issued by the Department of the Treasury.

We deny the protest.

Proposals in response to the RFP were originally required to be received by 4 p.m. on November 19, 1984. On November 5, the agency amended the RFP "to extend the proposal due date to March 1, 1985." Sandler-Innocenzi states that its proposal was delivered to the proper office in the Department of the Treasury at 4:07 p.m. on March 1.

The agency, contending that proposals were due by 4 p.m., declared that the Sandler-Innocenzi proposal was submitted late and could not be considered. The protester argues that since the agency checked the box in Item 11 of the amendment form (standard form 30), which provides that "The hour and date specified for receipt of Offers is . . . extended," the amendment should be understood to extend both the time and the date for receipt of proposals. The Federal Acquisition Regulation (FAR), 48 C.F.R. § 15.412(b) (1984), provides that if no specific time for receipt of proposals is specified in a solicitation, the time for receipt is 4:30 p.m. Sandler-Innocenzi contends that since no hour was specified in the RFP amendment, it was reasonable for it to assume that proposals were due at 4:30 p.m. in accordance with FAR § 15.412(b).

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We do not believe that Treasury effectively extended the hour for receipt of proposals to 4:30 p.m. by checking the box on standard form 30 stating that the "hour and date" for receipt is extended, while only providing for a new due date. See New Jersey Department of Community Affairs, B-181100, May 29, 1974, 74-1 CPD ¶ 290. The RFP specifies that the hour for receipt of proposals is 4 p.m. The amendment makes no express change in this time and, furthermore, provides that all terms and conditions of the solicitation remain unchanged and in full force and effect except as provided in the amendment itself or in prior amendments. Thus, FAR § 15.412(b) is inapplicable because the solicitation specifies an hour for receipt and the hour was not been changed by amendment. Pacific Coast Welding & Machine, Inc., B-205874, Jan. 15, 1982, 82-1 CPD ¶ 36.

The protester asserts that, at a minimum, the amendment creates an ambiguity by stating that the "hour and date" are changed, if the agency only meant to change the date. There are only two boxes in Item 11 of the amendment form, one to be checked if the "hour and date" are extended, and one to be checked if there is no extension. Item 11 further states that the solicitation is amended as set forth in Item 14, where Treasury provided that the due date was extended to March 1. It is evident that the box checked in Item 11 is merely a notice provision to call attention to the fact that the due date is extended, with the actual change described in Item 14.

The protest is denied.

*for* *Raymond Egan*  
Harry R. Van Cleave  
General Counsel