



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## Decision

Matter of: B.C. Cleaning & Maintenance Corp.  
File: B-225909  
Date: January 13, 1987

### DIGEST

Prices under a prior contract generally are available to the public, so that the prior contractor is not unfairly disadvantaged by the disclosure of the prior prices in the invitation for the new contract.

### DECISION

B.C. Cleaning & Maintenance Corp. protests that the Norfolk Naval Shipyard amended invitation for bids (IFB) No. N62470-86-B-5885 for painting services to disclose B.C.'s prices under the prior contract for the same services. The prices had been requested by a potential competitor under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 (1982). The protester also complains that in the same amendment the Navy postponed bid opening to give B.C.'s competitors the opportunity to review the prices and responded to the request for disclosure unusually rapidly, seemingly before the agency ever received the written FOIA request.

There is nothing wrong in giving all potential bidders for the current contract the same opportunity to offer prices based on knowledge of the prior prices, which generally are available to the public. See Tombs & Sons, Inc., B-206810.2, May 10, 1982, 82-1 CPD ¶ 447. B.C. thus was not unfairly disadvantaged by the disclosure of the prior contract prices.

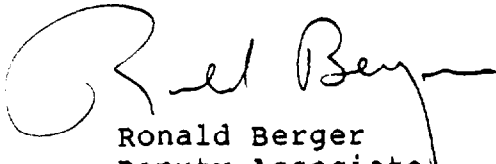
Regarding the postponement of bid opening, the amendment also included a revised minimum wage determination, as well as the price schedule under the prior contract. The need to incorporate a revised wage determination and allow bidders an opportunity to consider the determination in computing their prices

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provides a sufficient reason to amend an IFB and to postpone bid opening. Cf. Nonpublic Educ. Servs., Inc., B-207306.2, Oct. 20, 1982, 82-2 CPD ¶ 348 (permitting cancellation of an IFB to incorporate a revised wage determination).

Finally, since the disclosure of the prices under B.C.'s prior contract was proper, and did not in itself improperly prejudice B.C. in the competition, the timing of the disclosure vis a vis the FOIA request does not provide a valid basis for protest.

The protest is dismissed. See 4 C.F.R. § 21.3(f) (1986).



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