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DECISION



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

FILE: B-206012

DATE: February 24, 1982

MATTER OF: Introl Corporation

DIGEST:

1. Bidder who offered bid acceptance period shorter than that requested in invitation for bids may not be permitted to extend that period in order to qualify for award since such an extension would be prejudicial to other bidders who offered the requested acceptance period.
2. Invitation for bids which states that the bid acceptance period is "60 calendar days unless a different period is inserted by the offeror" is a request for a 60-day bid acceptance period.

Introl Corporation protests the rejection of its bid under invitation for bids (IFB) No. DTFA-02-81-B-00687 issued by the Federal Aviation Administration (FAA) for diesel engine generator sets. We summarily deny the protest.

As permitted by the IFB, Introl limited its bid acceptance period to 20 calendar days instead of the standard 60-calendar-day period. Because the contracting officer found that he could not process an award within 20 calendar days, he requested that Introl extend its acceptance period, and Introl agreed. Subsequently, however, the contracting office was advised of our decision in Ramal Industries, Inc., B-202961, August 25, 1981, 60 Comp. Gen. ____, 81-2 CPD 177. Based on our holding in that case, the contracting officer determined that Introl could not legally extend its bid and notified Introl that it could no longer be considered for award.

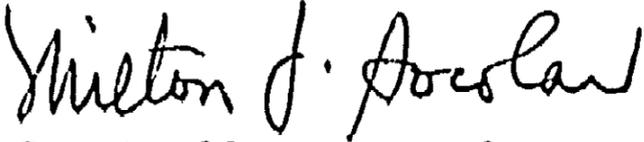
In Ramal we held that a bidder who offered a bid acceptance period shorter than that requested in the IFB could not extend that period in order to qualify for award, since such an extension would be prejudicial to other bidders who offered the requested acceptance period, in that those bidders who offered the requested acceptance period assumed a greater risk of price or market fluctuations than the bidder who did not. In other words, while a bidder can offer an acceptance period which is shorter than the one requested and still be responsive to a solicitation which does not mandate a minimum acceptance period, in doing so the bidder runs the risk that award will not be made before the shorter period expires. The subsequent decision to extend the bid is not solely within the bidder's control and is subject to the dictates of his own particular interests. Thus, the integrity of the competitive system is best served if the bidder is not permitted to extend the bid. See 48 Comp. Gen. 19 (1968).

Introl argues that the instant case is distinguishable because the IFB in this case did not request a 60-calendar-day acceptance period. We find no merit to this contention. The record shows that the IFB in this case contained the same language as that in Ramal regarding the bid acceptance period: "60 calendar days unless a different period is inserted by the offeror." We have held that this language in essence is a request for a 60-day acceptance period. Ramal Industries, Inc.--Reconsideration, B-202961.2, B-202961.3, November 12, 1981, 81-2 CPD 400.

Introl also asserts that the circumstances of this case differ from those in Ramal because unlike the bidder in that case, Introl agreed to extend its bid acceptance period before its bid expired, and because the contracting officer requested Introl to extend its bid. We find no merit to these assertions. Ramal clearly states that the bidder who extended its bid there did so prior to the expiration of the acceptance period. We also consider the rule in Ramal to be equally applicable to a situation where the contracting officer requests the extension since the risk of prejudice to other bidders is just as great. See Peck Iron and Metal Company, Inc., B-195716, October 17, 1979, 79-2 CPD 265. Consequently, we conclude that the contracting officer's refusal to consider Introl's extended bid was proper.

Since it is clear from the protester's initial submission that its protest is without merit, we have reached our decision without obtaining an agency report on the matter. See Gateway Van & Storage Company, B-198900, July 1, 1980, 80-2 CPD 4.

The protest is summarily denied.

for 
Comptroller General
of the United States