



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Kleen-All Janitorial Service
File: B-240856.2
Date: October 31, 1990

Willie E. Young for the protester.
Herbert F. Kelley, Jr. Esq., Department of the Army, for the agency.
David Hasfurther, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protester's contention that an amendment to a solicitation did not adequately place potential bidders on notice of the changed bid opening date for the solicitation does not state a valid basis of protest where the change in the bid opening date was clearly and reasonably apparent to any prudent bidder.

DECISION

Kleen-All Janitorial Service protests that it was misled as to the bid opening date for, and was thereby precluded from bidding on, invitation for bid (IFB) No. DAHC43-90-B-0003, issued by the Western Commissary Region, U.S. Army Troop Support Agency, for shelf stocking and custodial services. Kleen-All requests that the procurement be resolicited.

We dismiss the protest.

The IFB was issued on June 22, 1990, and established a bid opening date of August 16, 1990. Amendment 1 to the IFB was issued jointly with the IFB. The cover sheet to the amendment was checked to show that the original bid opening "is not extended." The continuation sheet attached to the cover sheet began with a paragraph which stated that the purpose of the amendment was to change the issue date and the bid opening date. The bid opening date was shortened by the amendment to July 24, 1990.

Kleen-All maintains that it missed the revised bid opening date because the cover sheet to the amendment was misleading. Kleen-All read the statement that the original bid opening was

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not extended to mean that the bid opening date had not been changed.

Kleen-All has failed to advance a valid basis of protest. 4 C.F.R. 21.3(m) (1990); See Federal Sales Serv., Inc., B-237978, Feb. 28, 1990, 90-1 CPD 249. There is no argument that the amendment in question changed the bid opening date for the IFB. Contrary to Kleen-All's position, the change was not "buried" in the description of the amendment changes. The fact that the bid opening date was being changed was stated in the first line of the attached continuation sheet and, therefore, should have been reasonably apparent to any prudent bidder who gave only cursory attention to the changes made by the amendment.

Michael R. Golden

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