



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Global Mail Ltd.  
**File:** B-260106  
**Date:** February 7, 1995

### DECISION

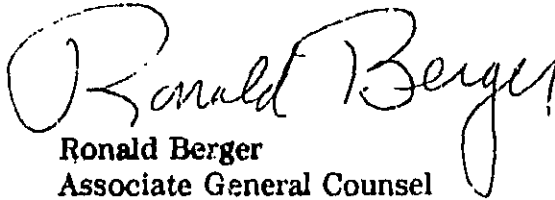
Global Mail Ltd. protests the rejection of its proposal as late by the Department of the Interior under solicitation No. 9006. Global challenges the rejection of its proposal, arguing that even though it was received late, it should be considered for award.

The protester states that in a conversation with an agency representative it learned that the closing date had been extended from December 15, 1994, to January 4, 1995, but that it was not given a closing time. It therefore assumed the "standard GSA [General Services Administration] closing time of 4:30 p.m.", and on January 4, delivered its proposal bid at 2:15 p.m. Global was informed at that point that the closing time was 2:00 p.m. and that its proposal would be considered late. Global immediately orally complained to the agency. On January 12, Global received written notice that its proposal was late and would not be considered. The instant protest was filed on January 23.

First, this protest is untimely. Our Bid Protest Regulations require a protest such as this to be filed within 10 working days of when the basis for protest is known. See 4 C.F.R. § 21.2(a). The basis for protest was first known on January 4, when Global advised that its proposal would be considered late--Global could not sit back and wait for written confirmation of that advice. Moreover, while Global orally complained to the agency, that does not suffice as a protest under the Federal Acquisition Regulation (FAR), which requires protests to be in writing. See FAR § 33.101.

In any event, the protester does not set forth a valid basis for protest. When bid opening or a closing date is extended, but a specific closing time is not explicitly set forth, the rule is that "the hour remains as stated initially in the [solicitation]." Pacific Coast Welding & Mach., Inc., B-205874, Jan. 15, 1982, 82-1 CPD ¶ 36. Accordingly, Global acted at its own peril in assuming a closing time later than 2:00 p.m.

The protest is dismissed.

  
Ronald Berger  
Associate General Counsel