



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-217933.2

September 28, 1988

Ms. Margaret A. Willis
FAR Secretariat
General Services Administration

Dear Ms. Willis:

This responds to your request dated August 22, 1988, for our comments on a proposal to amend Federal Acquisition Regulation (FAR) Parts 2, 14, 15, and 52 with respect to late bids and proposals and facsimile bids and proposals. This is FAR Case No. 85-16.

The proposed amendment would correct the current late bid rules concerning evidence acceptable to establish the mailing date for bids, modifications or withdrawals sent by registered or certified mail, provide a 2-day late bid rule for bids sent by United States Postal Service Express Mail Next Day Service, provide separate late bid rules for bids outside the United States and Canada and allow contracting officers the option of permitting use of facsimile equipment for the submission of bids, acknowledgments, modifications and withdrawals. The amendment would also make corresponding changes pertinent to contracting by negotiation.

We have in the past favorably recommended proposals to correct the evidentiary standard to establish the mailing date in late bid cases and to provide a separate late bid rule for Express Mail. We are pleased that our suggestions have been adopted and we endorse those proposed changes. We also favor the remaining changes in FAR Case No. 85-16.

Sincerely yours,

for Seymour E. Hinchman
James F. Hinchman
General Counsel