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DECISION



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

FILE: B-204718

DATE: January 27, 1982

MATTER OF: S.A.F.E. Export Corporation

DIGEST:

1. Where the solicitation evaluation clause clearly indicated that low price would be determined by totaling the prices for the basic and two option years, the protester, which submitted the low price for the basic year, but not the low total price for the basic plus option years, was not in line to receive award.
2. The protester's contention, raised for the first time in its comments on the agency's protest report, that the agency improperly included option provisions in the solicitation is untimely and not for consideration under GAO Bid Protest Procedures which require that alleged solicitation improprieties apparent prior to the closing date for receipt of initial proposals must be raised prior to that date.

S.A.F.E. Export Corporation protests the Department of the Air Force's award of a contract to Secure Engineering Services, Inc., under Request for Proposals (RFP) No. F61521-81-Q7409, a solicitation for the inspection, maintenance and repair of the intrusion detection system in an Air Force building. S.A.F.E. asserts that it, and not Secure Engineering, submitted the lowest price under the RFP. Furthermore, S.A.F.E. contends that its proposal improperly was declared unacceptable by the Air Force based on exceptions which S.A.F.E.'s offer allegedly took to the terms and conditions of the RFP. For the following reasons, we deny the protest.

The RFP required offerors to submit prices for a basic year period, two one-year option periods, and a total for the three years. The protester and awardee proposed the following:

	S.A.F.E	Secured Engineering
Basic Year	\$7,800.00	\$7,920.00
First Option	8,970.00	8,712.00
Second Option	<u>10,315.56</u>	<u>9,576.00</u>
Total	\$27,085.56	\$26,208.00

As can be seen, S.A.F.E. submitted a price which was \$120 lower than Secured Engineering's price for the basic year. Secured Engineering, however, submitted a total price which was more than \$800 less than S.A.F.E.'s total price for the three years. S.A.F.E. is of the opinion that the Air Force should not have considered option quantity prices in its evaluation to determine the low offeror and that therefore S.A.F.E., which submitted the low basic year price, should have received award. We disagree.

The RFP included the following evaluation clause which was brought to the special attention of all offerors by reference in the RFP's cover sheet, as well as being set forth in full text in the body of the RFP:

"Proposals will be evaluated for purposes of award by adding the total price for all option periods as listed in the schedule to the total price for the basic period."

With this evaluation scheme clearly stated in the RFP, we believe that the Air Force properly evaluated the offers for award on the basis of total price, and therefore correctly found Secured Engineering to be the low offeror.

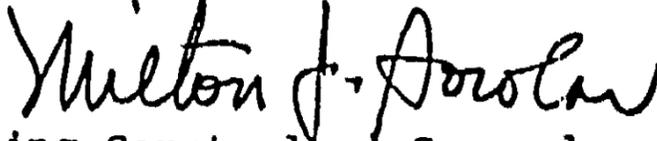
With regard to options, in its comments on the Air Force's agency protest report, S.A.F.E. challenged for the first time the Air Force's inclusion of options in this RFP. As such, this matter is untimely raised under our Bid Protest Procedures because it concerns an alleged impropriety in the solicitation which was apparent to

S.A.F.E. prior to the closing date for receipt of initial proposals. Since the issue was not raised until after that date, we will not consider it.
4 C.F.R. § 21.2(b)(1) (1981).

It is unnecessary for us to consider S.A.F.E.'s additional contention that its proposal improperly was declared unacceptable because even if S.A.F.E.'s proposal would have been deemed acceptable, it did not offer the lowest price; consequently, it would not have been in line for award under this RFP in any event.

Finally, since we believe it is clear from the record to which the protester had access that S.A.F.E. did not submit the lowest offer (confirmed by our review of the record) and therefore was not in line for award here, S.A.F.E.'s request that the Air Force provide it with additional documentation not included in its copy of the agency report in order to further develop its protest would serve no useful purpose.

The protest is denied.


Acting Comptroller General
of the United States