

117543

20852

Sapikse

DECISION



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

FILE: B-206243

DATE: February 18, 1982

MATTER OF: P & A Construction Co., Inc.

DIGEST:

Bid offering to perform only part of the work is ineligible for award where a single award is to be made for the entire project; nor may the bid be modified after opening by adding a price for work not bid initially.

P & A Construction Co., Inc. protests award to any firm but itself under invitation for bids LAO 80-0018 issued by the Air Force to construct a commissary building at the Los Angeles Air Force Station in California. P & A complains that its bid was improperly rejected as nonresponsive for failing to bid all five line items. P & A argues that item 0005 did not have to be bid, and that in the circumstances it should be allowed to modify its bid after opening to quote a price on item 0005.

We summarily deny the protest.

Line item 0001 was for the basic bid to construct the commissary building. Line items 0002-0005 were for additive items. Award was to be based on the low aggregate bid, to be determined by adding or subtracting from the base bid the price of the optional additive or deductive items, in order of the priority listed in the schedule, that would provide the most features of the work that could be accomplished with the funds determined by the Government to be available before bid opening.

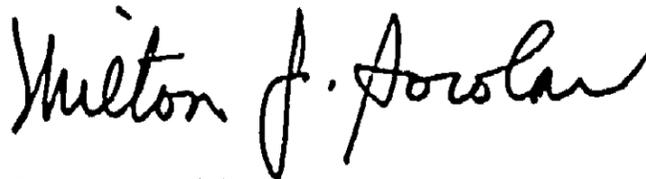
The protester bid on all items except item 0005, for which it entered "No Bid." The contract is to be awarded for all five line items, since the low aggregate bid for all items fell within the Government's predetermined funding ceiling. P & A complains that the apparent awardee is higher in cost for the total of the four items on which the protester bid.

We need not decide whether the Air Force was incorrect in concluding that, by failing to bid on all items, the protester submitted a nonresponsive bid. Even if the protester's bid is treated as responsive, the firm is not entitled to award.

Where an agency permits offerors to choose which line items they will bid, a bid cannot be considered for award on a combination which includes an item which it did not bid. Thus, a bidder who chooses to bid on only some of several line items, even if responsive, is ineligible for an award which includes items the bidder chose to exclude from the bid. See Casson Construction Company, Inc., B-198746, October 24, 1980, 80-2 CPD 318 and cases cited therein. In this instance, the low aggregate bid on all five items was within the limit of available funds. Applying the solicitation's award criterion, a single award therefore had to be made based on all five line items. The protester did not bid on all items and, consequently, is not eligible for award.

The protester argues that it should be permitted to add to its bid a price for item 0005. Correction of a bid after bid opening, however, is limited to cases where, among other requirements, the party seeking correction intended to bid but made an error in calculating its bid. See generally Briefing Papers #76-5, Berger, "Mistakes in Bids," 4 BPC 75. P & A admits in its submissions to our Office that it made a deliberate decision not to bid item 0005. It cannot be permitted to bid that item now, for the first time. See The Manbeck Bread Company, B-190043, October 5, 1977, 77-2 CPD 273.

The protest is denied.

for 
Comptroller General
of the United States