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April 16, 1982

DECISION



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

FILE: B-206932

DATE: April 16, 1982

MATTER OF: A&H Precision Products, Inc.

DIGEST:

Rejection of bid as nonresponsive to the IFB soliciting F.O.B. destination bids is required where bid specifies that delivery will be F.O.B. origin and bid may not be corrected.

A & H Precision Products, Inc. (A&H), protests the rejection of its low bid as nonresponsive to invitation for bids (IFB) No. DAAA09-82-B-0220 issued by the United States Army Armament Materiel Readiness Command.

A&H contends that it mistakenly bid on an F.O.B. origin basis rather than on an F.O.B. destination basis as required by the IFB. A&H contends that this mistake is insignificant. For the following reasons, we summarily deny the protest.

We have held that where a solicitation requires that bids be submitted on an F.O.B. destination basis, a bid which specifies that delivery will be F.O.B. origin is nonresponsive. See Empire Generator Corporation, B-205194, March 1, 1982, 82-1 CPD _____. By offering the supplies on an F.O.B. origin basis instead of an F.O.B. destination basis, A&H shifted the risk of loss or damage to the supplies while in transit to the Government, a burden which the IFB's F.O.B. destination clause specifically placed on the contractor. Since the exception taken by A&H to the delivery requirement of the IFB is a material one affecting the substance of the bid, A&H's bid was properly rejected as nonresponsive. See Barber-Colman Company, B-203132, August 11, 1981, 81-2 CPD 122.

Rejection of the bid is required even where the bidder alleges that the incorrect delivery term was included through clerical error. A non-responsive bid may not be cured through mistake-in-bid correction procedures. Sperry-Univac, B-200378, January 22, 1981, 81-1 CPD 38.

It is apparent from the protester's initial submission that the contracting officer correctly rejected the bid as nonresponsive. Accordingly, we summarily deny the protest.

Milton J. Jordan
for Comptroller General
of the United States