

DECISION



118536
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-206739 **DATE:** June 1, 1982
MATTER OF: Kan-Du Tool & Instrument Corp.
DIGEST:

Protest of award of contract to firm which was permitted to correct a mistake in its bid is dismissed as academic where contract has been terminated for convenience.

Kan-Du Tool & Instrument Corp. protests the decision of the Naval Supply Systems Command to permit J. Jambor Manufacturing, Inc. to correct a mistake in its bid submitted in response to invitation for bids No. N00383-81-B-0287 issued by the Naval Aviation Supply Office, Philadelphia.

The solicitation was issued for the procurement of chamber pins, a component of an aircraft engine. Because Jambor's bid of \$4.72 per unit was substantially below the second low bid of \$8.52 per unit, and was lower than past prices the Navy had paid for the same item, the contracting officer asked the firm to confirm its price or to provide information of any alleged mistake. Jambor alleged that a mistake had been made and requested permission to correct it. In support of this request, Jambor submitted its original work sheet, on the basis of which the agency concluded that clear and convincing evidence existed of a mistake and the bid actually intended. Thus, Jambor was permitted to correct its bid to \$6.72 per unit, see Defense Acquisition Regulation § 2-406.3(a)(3) (1976 ed.), and since it remained the low bidder, it received the award. Kan-Du has questioned the propriety of permitting the correction.

We have been informed by the Navy that Jambor's contract was terminated for the convenience of the

Government a few weeks after award when it was determined that the chamber pins specified in the IFB had become obsolete. Therefore, the protest is academic and no useful purpose would be served by our consideration of it. See S.E.S. Company, Inc., B-197508, February 14, 1980, 80-1 CPD 136; Colonial Ford Truck Sales, Inc., B-191320, May 12, 1978, 78-1 CPD 370.

The protest is dismissed.

Harry R. Van Cleve
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Acting General Counsel