

DECISION



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

24542

FILE: B-210611

DATE: March 1, 1983

MATTER OF: Western Ventures, Inc.

DIGEST:

In view of the limited purpose of an invitation's announced estimated cost range, and the responsibility of bidders to determine their own bid prices, protester's allegation that it was misled by bidding within what it perceived to be the invitation's estimated cost range is without merit.

Western Ventures, Inc., protests any award under invitation for bids (IFB) No. DTFA09-83-B-20001, issued by the Department of Transportation's Federal Aviation Administration, for the installation of metal siding on an air traffic control tower. Western contends that information and documents contained in the IFB misled bidders regarding the Government's estimated price range for completion of the construction project.

We summarily deny the protest because it is clear from Western's submission that the protest is without legal merit. Gomez Electrical Contractors, Inc., B-208688, September 8, 1982, 82-2 CPD 214.

Western asserts that the IFB's published Government estimate range of "under \$40,000," plus the IFB's inclusion of bond forms applicable to bids in excess of \$25,000, led it and other bidders to believe that the Government estimate range was between \$25,000 and \$40,000. Western states that the actual Government estimate--first revealed to Western at bid opening--was under \$25,000. Western implies that it and 6 other firms which bid in excess of \$25,000 were misled by the IFB's failure to provide a more specific estimate range than "under \$40,000."

The purpose of supplying bidders an estimated price range prior to bidding is to disclose information concerning the relative magnitude of the construction project. Federal Procurement Regulations § 1-18.109 (1964 ed.). Bid prices, however, are not limited to the confines

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of the estimate range set forth in the IFB, and a bidder is still responsible for preparing its own independent bid. See Scott Glass, Inc.-Reconsideration, B-185864, August 17, 1976, 76-2 CPD 164.

In this case, we conclude that the IFB's announced range of "under \$40,000" fulfilled the limited regulatory requirement of disclosing information on the relative magnitude of the project, and that the IFB's bond forms simply were provided for firms choosing to submit bids in excess of \$25,000. In any event, since it ultimately is the responsibility of a bidder to determine its own bid price without reliance on an announced or perceived Government estimate range, Western's argument that it and other bidders were misled into bidding within a specified range is without merit.

The protest is denied.

Milton J. Jordan
for Comptroller General
of the United States