

DECISION



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

11/1/85
R-II

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FILE: B-218407

DATE: April 4, 1985

MATTER OF: Mariman Security

DIGEST:

Bid is properly rejected as nonresponsive where acceptance period offered in bid is shorter than minimum period required in solicitation. Bid may not be corrected and made responsive after bid opening, even where failure to specify minimum acceptance period may have been due to an inadvertent error by bidder.

Mariman Security protests the rejection of its bid for security guard services under invitation for bids (IFB) No. OPR-85-02035, issued by the General Services Administration. We dismiss the protest.

Mariman concedes that there were two deficiencies in its bid. First, Mariman inserted a bid acceptance period of 60 days in its bid form instead of the 90 day minimum acceptance period required by the IFB. Mariman states that its failure to offer the required 90 day acceptance period was due to an inadvertent error on its part. Second, Mariman submitted a copy of the bid bond with its bid instead of the original bond. Mariman argues that these two deficiencies are technical errors that it now should be allowed to correct.

A requirement in a solicitation that a bid remain available for acceptance by the government for a prescribed period is material and a bidder's failure to furnish the minimum acceptance period renders its bid nonresponsive and ineligible for award. Bridgewater Construction Corp., B-214187, Feb. 14, 1984, 84-1 CPD ¶ 201. Here, since Mariman offered less than the 90 day acceptance period required by the IFB, the agency properly rejected its bid as nonresponsive. Further, even though the protester's failure to specify the minimum bid acceptance period may have been due to an

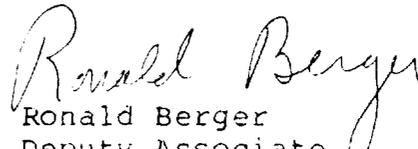
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inadvertent error, as Mariman contends, its bid may not be corrected and made responsive after bid opening, since allowing correction would give the protester which limited its acceptance period an unfair competitive advantage over other bidders which offered the required longer period. Gerentine-Cutrone Sand and Gravel, Inc., B-217249, Dec. 17, 1984, 84-2 CPD ¶ 679.

In view of our conclusion that the agency properly rejected the protester's bid for failure to specify the minimum bid acceptance period, we need not address Mariman's other contention regarding its failure to submit the original of its bid bond.

The protest is dismissed.


Ronald Berger
Deputy Associate
General Counsel