



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Phillips National, Inc.
File: B-229973
Date: February 26, 1988

DIGEST

1. Bidder's failure to sign an otherwise proper bid bond may be waived if the bond is submitted with a signed bid.
2. The validity of a bid is not affected by the bidder's failure to affix a corporate seal to the bid bond.

DECISION

Phillips National, Inc., protests the proposed award of a contract to Tumpane Services Corp. under Department of the Navy invitation for bids No. N62474-87-B-2801. Phillips complains that the bid bond Tumpane submitted was not signed, and did not include a corporate seal. The Navy proposes to accept the bid because the bid itself was properly signed, so that the defects in the bond may be waived.

The Navy is correct that Tumpane's bid is acceptable. We have held that a bidder's failure to sign an otherwise proper bid bond may be waived if the unsigned bond is submitted with a signed bid, since the surety would be liable on the bond notwithstanding the defect. See General Ship and Engine Works, Inc., 55 Comp. Gen. 422 (1975), 75-2 CPD ¶ 269; Geronimo Service Co., B-209613, Feb. 7, 1983, 83-1 CPD ¶ 130. We also have held that the validity of a bid is not affected by the bidder's failure to affix its corporate seal to the bid bond. See Siska Construction Co., Inc.--Request for Reconsideration, 64 Comp. Gen. 384 (1985), 85-1 CPD ¶ 331.

The protest is denied.

for 
James F. Hinchman
General Counsel

041401