

Shimamura



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Joseph Shisko, Inc.

File: B-243099

Date: March 8, 1991

Miles H. Martschink for the protester.
Amy J. Brown, Esq., General Services Administration, for the agency.
Amy M. Shimamura, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest that bid bond is insufficient is dismissed where the bond itself shows it is sufficient to meet the invitation for bid's requirement for a bid bond that is 20 percent of the bid price.

DECISION

Joseph Shisko, Inc., the second low bidder, protests the proposed award of a contract to Volunteer Flooring Company, Inc., the low bidder under invitation for bids (IFB) No. GS-04P-91-EXC-0014, issued by the General Services Administration (GSA) Business Service Center, Atlanta, Georgia, for exterior cleaning, caulking, and waterproofing of the L. Mendel Rivers Federal Building, Charleston, South Carolina. Shisko contends that Volunteer's bid should be rejected as nonresponsive because it has reason to believe the penal sum of its bid bond does not equal 20 percent of its bid price as required by the IFB.

GSA has provided our Office with a copy of Volunteer's bid bond (on a Standard Form 24). The bond indicates that its penal sum is 20 percent of its bid price, not to exceed \$60,000. Volunteer's bid price was \$78,956. The penal sum of the bond therefore was \$15,791.20, an amount which falls well within the \$60,000 upper limit of the penal sum. Volunteer's bid bond therefore satisfies the IFB requirement for a 20 percent bid bond.

The protest is dismissed.

James A. Spangenberg
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Assistant General Counsel

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