



Comptroller General
of the United States

Washington, D.C. 20548

Cunningham

147/66

Decision

Matter of: John Tucker
File: B-248060
Date: Jul, 22, 1992

John Tucker for the protester.
Theodore R. Pixley, Jr., Esq., Defense Logistics Agency, for
the agency.
James M. Cunningham, Esq., Glenn G. Wolcott, Esq., and
Paul I. Lieberman, Esq., Office of the General Counsel, GAO,
participated in the preparation of the decision.

DIGEST

Where bid contained unit price that was inconsistent with
extended price, agency reasonably determined from the face
of the bid that the bidder intended to bid the extended
price where the aggregate bid was the arithmetic sum of the
extended prices and the bid bond was exactly 20 percent of
the extended prices bid.

DECISION

John Tucker protests the Defense Logistics Agency's (DLA)
award of a sales contract to HRH Metals, Inc., under item
No. 2 of invitation for bids (IFB) No. 31-2101, for the sale
of scrap metal. Tucker, who was next in line for award
under item No. 2, contends that HRH's bid should have been
rejected because of an inconsistency between HRH's unit
price and extended price under this item number.

We deny the protest.

The Defense Reutilization and Marketing Service (DRMS)
issued IFB No. 31-2101 seeking bids for multiple items of
scrap metal. The IFB contemplated award on the basis of the
highest bid submitted for each item number, and required
that each offeror submit a bid deposit in an amount not less
than 20 percent of its aggregate bid. Both HRH and John
Tucker timely submitted bids for various item numbers,

including item No. 2, which was described as 60,000 pounds of scrap metal "consisting of turbine engine parts." HRH's bid sheet contained the following entries:

<u>Item No.</u>	<u>Price Bid</u>	<u>Total Bid</u>
1	\$66.17	\$ 10,015.50
2	2,0006	120,360.00
3	.4234	8,468.00
4	.3183	6,468.00
5	.0678	4,068.00

HRH's bid of \$120,360.00 for item No. 2 was determined to be high. However, upon reviewing the bid, the sales contracting officer (SCO) found that multiplication of the unit price (\$2.0006) by the quantity listed (60,000 pounds) resulted in a total price of \$120,036--an amount lower than Tucker's bid. The SCO contacted an HRH representative who confirmed its total price and explained that it had intended a unit price of \$2.006, not \$2.0006.

The SCO reviewed HRH's bid and determined that the cover sheet of the bid separately stated that HRH's aggregate bid for all 5 item numbers was \$149,277.50--the arithmetic sum of the extended prices for the 5 item numbers on which HRH bid. The cover sheet of HRH's bid also stated that a bid deposit was being submitted in the amount of \$29,855.50--precisely 20 percent of HRH's aggregate bid of \$149,277.50. Based on these facts apparent from the face of HRH's bid, the SCO determined that HRH intended to bid the extended price of \$120,360.00 for item No. 2 and awarded a contract to HRH on that basis.

Tucker protests that the SCO could not reasonably establish the existence of a mistake and the bid intended from the face of HRH's bid. We disagree.

Where correction of a bid results in displacing one or more lower bids--or, in the case of a sale, higher bids--the correction is permissible only if the existence of the mistake and the bid actually intended are ascertainable from the solicitation and the bid itself. Federal Acquisition Regulation (FAR) §§ 14.406-3(a); Peck Iron and Metal Co., Inc., 69 Comp. Gen. 534 (1990), 90-1 CPD ¶ 563; George E. Failing Co., B-233207, Feb. 24, 1989, 89-1 CPD ¶ 203. The correct bid must result from the only reasonable interpretation ascertainable from the bid itself, and on the basis of logic and experience. OTKM Constr., Inc.--Recon., 65 Comp. Gen. 202 (1986), 86-1 CPD ¶ 53.

Based on the fact that HRH's bid separately stated that its total bid was \$149,277.50, which was the precise arithmetic sum of HRH's extended prices for all 5 item numbers--including item No. 2, along with the fact that HRH submitted

a bid bond in an amount that was precisely 20 percent of the aggregate of its extended bid prices, we conclude that the SCO reasonably determined, from the face of HRH's bid, that HRH intended to bid \$120,360.00 for item No. 2--the extended price for that item number. See id.; Federal Aviation Admin.-Bid Correction, B-187220, Oct. 8, 1976, 76-2 CPD ¶ 326.

The protest is denied.


James F. Hinchman
General Counsel