

C. Melody

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Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: City Chemical Corporation
File: B-257540; B-257553
Date: June 21, 1994

DECISION

City Chemical Corporation protests the award of contracts to Poly Research Corp. under invitation for bids (IFB) Nos. N00104-94-B-0005 and N00104-94-B-0007, issued by the Department of the Navy for the supply of certain chemicals.

We dismiss the protests.

City Chemical challenges the awards on the ground that Poly Research's bid was based on cans which do not meet the specifications in the IFBs.

A bid is responsive if it unequivocally offers to provide the exact thing called for in the IFB, such that acceptance of the bid will bind the contractor in accordance with all the IFB's material terms and conditions. Mid-East Contractors, Inc., 70 Comp. Gen. 383 (1991), 91-1 CPD ¶ 342. Here, the awardee took no exception to the terms of the IFBs in its bids; consequently, there is no basis to conclude that the bids are nonresponsive. King-Fisher Co., B-236687.2, Feb. 12, 1990, 90-1 CPD ¶ 177. By arguing that the awardee will provide cans which do not conform to the specifications, City Chemical essentially is arguing that the awardee will not perform in accordance with the IFBs; this contention concerns a matter of contract administration, which we generally do not review since it is within the discretion of the contracting agency. 4 C.F.R. § 21.3(m)(1) (1994).

The protests are dismissed.

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