



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

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The Honorable
The Secretary of Defense

Dear Mr. Secretary:

Enclosed is a copy of our decision of today concerning a mistake alleged by Autoclave Engineers, Inc., after award of negotiated contract No. N62477-73-C-0002, awarded by the Naval Facilities Engineering Command.

In our decision, we note that under formally advertised procurements, Armed Services Procurement Regulation (ASPR) § 2-406 (1974 ed.) sets forth specific procedures for the procuring activity to follow whenever a mistake in a bid is suspected. However, section III of ASPR (1974 ed.), which sets forth the procedures to be followed in negotiated procurements, contains no procedure to be followed when an error is suspected in an offeror's price after receipt of offers. In view of this disparity, we suggest that section III of ASPR provide appropriate procedures to be followed when a mistake is suspected before award in a negotiated procurement.

Please advise our Office of any action taken in this regard.

Sincerely yours,

R. F. [REDACTED]

Deputy

Comptroller General
of the United States

Enclosure