

# DECISION



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

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FILE: B-183010

DATE: July 17, 1975

MATTER OF: Commercial Envelope Manufacturing Co., Inc.

## DIGEST:

Where there is dispute between contracting agency and bidder as to whether original bid was delivered to Government, it is not necessary to resolve dispute, since even where it is established that bid was lost by Government, it would be inconsistent with integrity of competitive bid system to allow bidder to resubmit bid after bid opening.

Invitation for bids (IFB) No. FPOP-FB-80913-A-1 was issued by the General Services Administration (GSA), Division of Office Supplies and Paper Products, New York, for the procurement of envelopes on November 11, 1974.

Eleven bids were received by GSA's procurement agent on January 7, 1975, from the Bid Custodian of GSA's Business Service Center in New York. Commercial Envelope Manufacturing Co., Inc. (Commercial), contacted GSA on January 8, 1975, to inform the agency that it had submitted its bid to the Business Service Center prior to bid opening, but later found that its bid was not recorded on the bid abstract. GSA made a search for the alleged bid to no avail, and concluded that no bid had been received from Commercial. After learning of this matter, by letter of January 10, 1975, Commercial submitted to GSA a duplicate copy of the alleged hand-delivered bid and on the same day protested this matter to our Office.

In rebuttal to the position taken by GSA that no bid was received, Commercial has submitted the results of a polygraph test given to the Commercial employee who delivered the bid. The results of the test affirm the veracity of the employee in regard to the fact that he did deliver the bid to GSA as contended.

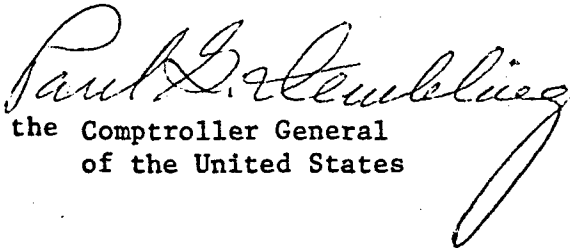
However, it is not necessary for our Office to resolve the dispute as to whether the bid was delivered to GSA. Even where it has been established that a bid was lost by the Government

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through no fault of the bidder our Office has stated that it would be inconsistent with the integrity of the competitive bidding system to allow the bidder to resubmit its bid after bid prices have been exposed. B-166973, June 26, 1969.

Accordingly, in making an award under the IFB, GSA acted properly in not considering the bid submitted after the bid opening. Therefore, the protest is denied.

Commercial also protested to our Office the rejection of its bid under IFB No. FPOP-FB-80913-A-2. However, the attorney for Commercial has withdrawn that protest. Therefore, we are closing the file on that protest also.

  
For the Comptroller General  
of the United States