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Richard Klesman
Proc. II

DECISION



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

FILE: B-188348

DATE: March 23, 1977

MATTER OF: Sonora Manufacturing Company

DIGEST:

Protester's mailed bid received in designated office after bid opening is late and not for consideration since there is no showing or allegation that late receipt was due solely to Government mishandling after receipt at installation.

On January 27, 1977, Sonora Manufacturing Company (Sonora), mailed its bid pursuant to invitation for bids No. DAAR01-77-B-0040 to the Department of the Army, Redstone Arsenal, Huntsville, Alabama (Redstone Arsenal). Bids were opened on January 31, 1977. Sonora's bid, which was sent by regular mail, was received at the bid opening desk on February 3, 1977. Moreover, Sonora disregarded the Army's instructions by failing to indicate on its envelope that a bid was enclosed. Consequently, the Army refused to consider Sonora's bid. Sonora now requests that its bid be considered.

Armed Services Procurement Regulation § 7-2002.2 (1976 ed.) provides that where a bid sent by regular mail is received in the designated office for bid opening after the exact time specified for receipt, it will not be considered unless the late receipt was due solely to mishandling by the Government after receipt at the Government installation.

In the instant case, the bid was sent by regular mail and there has been no showing or allegation that the late receipt of Sonora's bid was due solely to mishandling by the Government after receipt at the Government installation.

Based on the foregoing, we conclude that the agency properly refused to consider Sonora's bid.

Deputy

R. Klesman
Comptroller General
of the United States