

DECISION



85-54579
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE:B-210878

DATE: March 22, 1983

MATTER OF: Peerless Prosthetics Co.

DIGEST:

1. Protest against agency refusal to consider late bid is denied where circumstances of late delivery do not fall within any of solicitation's late bid clause exceptions.
2. Late bid cannot be accepted to realize possible monetary savings, because possible savings do not outweigh the importance of maintaining the integrity of the competitive bidding system.

Peerless Prosthetics Co. (Peerless) protests the Veterans Administration's (VA) refusal to consider its late bid, which Peerless admits was submitted to the VA after the bid opening time specified for the submission of bids under solicitation No. M3-Q19-83. Peerless states that, if the VA will reconsider its refusal to accept the late bid, Peerless will provide its product at its 1982 fiscal year price.

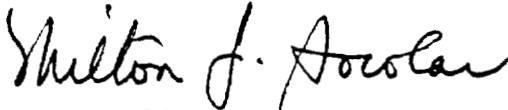
We summarily deny the protest.

Our Office has held that the late receipt of a bid will result in its rejection unless the submission of the late bid falls within one of the solicitation's late bid clause exceptions. See Bell & Howell; Topper Manufacturing, 61 Comp. Gen. 14 (1982), 82-2 CPD 224; Geronimo Service Company, B-199864, October 28, 1980, 80-2 CPD 325. Peerless concedes that its bid was late and provides no basis which would permit consideration of its late bid under any of the solicitation's late bid clause exceptions.

With respect to Peerless' offer to perform at last year's prices, we have held that the possibility that the Government might realize monetary savings if an otherwise unacceptable bid is accepted is outweighed by the importance of maintaining the integrity of the competitive bidding system. See Union Metal Manufacturing Company, Electroline Division, B-209161, November 2, 1982, 82-2 CPD 402.

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Since it is clear from the protester's initial submission that this protest is without legal merit, we have decided the matter without obtaining an agency report. Scripto, Inc., B-209450, November 9, 1982, 82-2 CPD 431.

for 
Comptroller General
of the United States