



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** U-Liners Contracting Co., Inc.

**File:** B-245179.2

**Date:** October 24, 1991

James W. Canfield, Esq., Canfield, Venusti, Madden & Rossi, for the protester, Catherine M. Evans, Esq., and David Ashen, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

### DIGEST

Protest challenging proposed awardee's compliance with the certificate of independent price determination clause is dismissed as it concerns a matter of responsibility, which the General Accounting Office does not generally review.

### DECISION

U-Liners Contracting Co., Inc. protests the award of a contract to NuPipe East, a Division of Insituform East, Inc., under invitation for bids (IFB) No. F49642-91-B-0039, issued by the Department of the Air Force for replacement of sewer lines at Andrews Air Force Base. U-Liners alleges that NuPipe is ineligible for award because it submitted a false certificate of independent price determination.

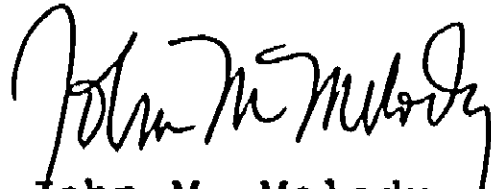
We dismiss the protest.

U-Liners alleges that NuPipe falsely certified that it independently arrived at its bid price because NuPipe is a division or subsidiary of Insituform East, which also participated in the competition as a bidder, and both bids were signed by the same individual.

The Certificate of Independent Price Determination clause at Federal Acquisition Regulation § 52.203-2 requires a bidder to certify that it has arrived at its price independently, has not disclosed its price to other competitors, and has not attempted to induce another firm either to submit or not to submit a bid for the purpose of restricting competition. An allegation that a bidder has violated this provision is not for resolution by our Office but, rather, is a matter for consideration by the contracting officer in determining

the responsibility of the proposed awardee, Seyforth Roofing Co., Inc., B-241719.2, Mar. 11, 1991, 91-1 CPD ¶ 268. Since collusive bidding is a criminal offense, if the contracting officer suspects that there is collusion, the matter should be referred to the Attorney General. Id.

The protest is dismissed.

A handwritten signature in black ink, appearing to read "John M. Melody". The signature is fluid and cursive, with the first name "John" being the most prominent.

John M. Melody  
Assistant General Counsel