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Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Southern California Engineering Co., Inc.

File: B-257554

Date: June 30, 1994


DECISION

Southern California Engineering Co., Inc. protests the award of a contract by the National Aeronautics & Space Administration (NASA) under solicitation No. 10-94-0010.

The protest, as filed with our Office, does not establish a basis for challenging the agency's action and, accordingly, must be dismissed. Specifically, Southern California challenges the agency's decision to allow the low bidder, at the low bidder's request, to correct an alleged mistake in its bid. Under Federal Acquisition Regulation § 14.406, an agency may allow for the correction of an alleged mistake in bid under some circumstances.

The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.--Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299. To achieve this end, our Bid Protest Regulations require that a protest include a detailed statement of the legal and factual grounds of a protest, 4 C.F.R. § 21.1(c)(4), and that the grounds stated be legally sufficient. 4 C.F.R. § 21.1(e). These requirements contemplate that protesters will provide, at a minimum, either allegations or evidence sufficient, if uncontradicted, to establish the likelihood that the protester will prevail in its claim of improper agency action. Robert Wall Edge--Request for Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335.

Here, the protester alleges only that NASA has been known to allow a bidder to withdraw but not correct a bid on the basis of an alleged mistake, and that therefore this procurement should follow that same pattern. Since, however, the procurement regulations permit bid correction under appropriate circumstances, this protest does not state a valid basis for protest. It is therefore dismissed.


Ronald Berger
Associate General Counsel