

Ronald Berger



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Navistar Marine Instrument Corporation--Reconsideration

**File:** B-260624.2

**Date:** June 21, 1995


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### DECISION

Navistar Marine Instrument Corporation requests reconsideration of our decision of March 8, 1995, in which we dismissed its protest against the award of a contract to AirFlo Instruments by the Defense Logistics Agency under request for proposals No. SPO440-95-R-0532. We dismissed the protest for failure to establish a basis for challenging the agency's action. On reconsideration, Navistar refers to its letters to us dated March 7, 1995, in which it alleged that AirFlo's price for first article testing was well below cost and that AirFlo was not a responsible bidder.

Those letters provide no basis for reconsideration. The submission of a below cost offer is not a valid basis to object to a contract award. An offeror, in its business judgment, properly may decide to submit a price that is extremely low. Diemaster Tool, Inc., B-238877, Apr. 5, 1990, 90-1 CPD ¶ 375. An agency decision that the contractor can perform the contract at the offered price is an affirmative determination of responsibility, a challenge to which we generally will not review except in circumstances not present here. JWK Int'l Corp., B-237527, Feb. 21, 1990, 90-1 CPD ¶ 198.

The request for reconsideration is denied.

  
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