

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

DEC 5 1973

B-179232 (3)

Lieutenant General Wallace H. Robinson, Jr.  
Director, Defense Supply Agency

Dear General Robinson:

Reference is made to the letter dated September 19, 1973, from your Assistant Counsel concerning the protest of D. Moody & Company, Incorporated, against the rejection of its bid under invitation for bids (IFB) No. DSA-400-73-B-7728 issued by the Defense General Supply Center, Richmond, Virginia. We are enclosing a copy of our decision of today denying the protest. B-179232

The record indicates that award was made to Lewis Engineering Company on June 28, 1973. Moody apparently was not advised that its low bid was rejected as nonresponsive until July 17, 1973, only after it had inquired as to the status of the subject IFB. The record further indicates that Moody was not advised as to the reason for rejection of its bid until August 3, 1973. Armed Services Procurement Regulation 2-408.1 provides for prompt notice to be given the unsuccessful low bidder of the rejection of its bid. This regulation also provides that the reasons for such rejection must be furnished promptly to the unsuccessful low bidder. We do not think the notice in this case complied with this requirement of ASPR. While this does not constitute a basis for questioning the validity of the award, we are bringing this matter to your attention for future procurements so that appropriate steps may be taken to assure that unsuccessful low bidders will be promptly notified of the rejection of their bids.

Sincerely yours,

Paul G. Dembling

For the Comptroller General  
of the United States

Enclosure

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