



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

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D-179695

December 7, 1973

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The Honorable
The Secretary of the Interior

Dear Mr. Secretary:

We refer to a letter dated September 12, 1973, with enclosures, from the Deputy Assistant Secretary of the Interior, requesting a decision as to the action to be taken concerning an error alleged by the Alder Construction Company (Alder) to have been made in its bid upon which contract No. CX-6000-3-9017 is based.

The National Park Service, Yellowstone National Park, Wyoming, requested bids for the construction of Wastewater Treatment Facilities for Old Faithful at the park, project No. 6860-3862. Alder submitted an aggregate total bid of \$1,137,500. The only other bidder on the project quoted an aggregate total bid price of \$1,261,032.75. The Government's revised estimate for the work was \$966,699.25. The bid of Alder was accepted on June 29, 1973.

By letter dated July 18, 1973, Alder advised the contracting officer that its plumbing and heating subcontractor had made an error in its quotation to the company. In support of the allegation of error, Alder submitted a statement in which the subcontractor stated that he had requested a price quotation from a proposed supplier; that the quotation was to state a price for item 1 and a suitable deduction therefrom to allow calculation of a bid price for item 1A; that, however, the supplier's quotation for item 1A was the actual price, and not the deductive price from item 1; that he did not realize that the price quoted by the supplier was in error; and that, accordingly, he miscalculated his bid price for item 1A. The subcontractor stated that a deduction of \$64,133 should have been used instead of \$121,560. It is reported that the difference between the above figures, of \$37,422, is increased to the total claimed error of \$46,051, after making certain computations and adjustments. In support of his allegation of error, the subcontractor submitted his worksheet which shows that he used a deduct of \$121,560, which is identified thereon as the quotation received from his supplier, in calculating plumbing and piping costs for item 1A.

However, we find no basis to increase the contract price as requested since the contracting officer made award without notice of

[Action To Be Taken on Alleged Error in Bid]

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B-179695

possible error. The contracting officer had no reason to suspect error since the low aggregate bid was in line with the only other bid received and the Government's revised estimate. Therefore, the acceptance of the bid constituted a valid and binding agreement from which relief may not be granted. B-178336, May 10, 1973; B-178813, July 13, 1973; B-178731, August 3, 1973.

Sincerely yours,

PAUL G. DEMBLING

For the Comptroller General
of the United States