# 52.214-10 Contract Award-Sealed Bidding.

As prescribed in 14.201-6(e), insert the following provision:

Contract Award-Sealed Bidding (July 1990)

(a) The Government will evaluate bids in response to this *solicitation* without discussions and will award a contract to the responsible bidder whose bid, conforming to the *solicitation*, will be most advantageous to the Government considering only price and the price-related factors specified elsewhere in the *solicitation*.

(b) The Government *may*-

(1) Reject any or all bids;

(2) Accept other than the lowest bid; and

(3) Waive informalities or minor irregularities in bids received.

(c) The Government *may* accept any item or group of items of a bid, unless the bidder qualifies the bid by specific limitations. Unless otherwise provided in the Schedule, bids *may* be submitted for quantities less than those specified. The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit prices offered, unless the bidder specifies otherwise in the bid.

(d) A written award or acceptance of a bid mailed or otherwise furnished to the successful bidder within the time for acceptance specified in the bid *shall* result in a binding contract without further action by either party.

(e) The Government *may* reject a bid as nonresponsive if the prices bid are materially unbalanced between *line items* or *subline items*. A bid is materially unbalanced when it is based on prices significantly less than cost for some work and prices which are significantly overstated in relation to cost for other work, and if there is a reasonable doubt that the bid will result in the lowest overall cost to the Government even though it *may* be the low evaluated bid, or if it is so unbalanced as to be tantamount to allowing an advance payment.

(End of provision)

**Parent topic:** 52.214 [Reserved]