PART 2814—SEALED BIDDING

Authority: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

Source: 87 FR 47118, Aug. 2, 2022, unless otherwise noted.

Subpart 2814.4—Opening of Bids and Award of Contract

2814.404 Rejection of bids.

2814.404-1 Cancellation of invitations after opening.

2814.407 Mistakes in bids.

2814.407-3 Other mistakes disclosed before award.

2814.407-4 Mistakes after award.

Parent topic: SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

Subpart 2814.4—Opening of Bids and Award of Contract

2814.404 Rejection of bids.

2814.404-1 Cancellation of invitations after opening.

The HCA or designee is the agency head for the purposes of FAR 14.404-1(c), (e)(1), and (f).

2814.407 Mistakes in bids.

2814.407-3 Other mistakes disclosed before award.

(a) The authority to make determinations under paragraphs (a), (b), (c), and (d) of FAR 14.407-3 is delegated to the HCA, or designee at a level at or above the chief of the contracting office. The HCA or designee shall seek the advice of legal counsel before making any determinations.

(b) The following procedures shall be followed when submitting cases of mistakes in bids to the Comptroller General for an advance decision.

(1) Requests for advance decisions submitted to the Comptroller General in cases of mistakes in bids shall be made by the HCA, or designee.

(2) Requests for advance decisions shall be in writing, dated, signed by the requestor, addressed to the Comptroller General of the United States, General Accounting Office, Washington, DC 20548, and contain the following:

(i) The name and address of the party requesting the decision;

(ii) A statement of the question to be decided, a presentation of all relevant facts, and a statement of the requesting party's position with respect to the question; and,

(iii) Copies of all pertinent records and supporting documentation.

2814.407-4 Mistakes after award.

The authority to make determinations under FAR 14.407-4 is delegated to the HCA. The HCA may re-delegate this authority at a level at or above the chief of the contracting office. The determination must be coordinated with the contracting activity's legal counsel.