

# UNIT 26: LATE BIDS

*October 2003*

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<b>Duty</b>	Determine whether a bid is late and, if late, whether it can be considered for contract award.
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<b>Conditions</b>	Given acquisition planning and an invitation for bids (IFB) that specifies a due date and time for receipt of bids.
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<b>Overall Standard</b>	Decisions strictly comply with FAR 14.304 on the administration of late bids.
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## Policies

<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
14.304		Submission, modification, and withdrawal of bids.
14.409		Information to bidders.
52.214-7		Submission, modification, and withdrawal of bids.

## Other KSAs

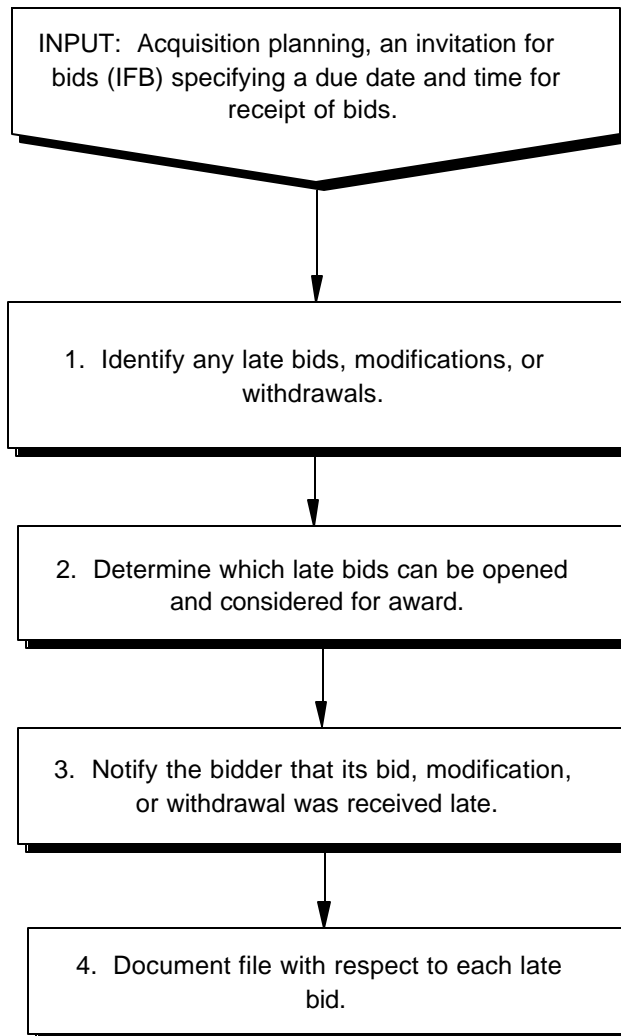
1. Knowledge of the bid opening process in sealed bidding.
2. Knowledge of the importance of demonstrating fairness and adherence to the rules in the bid evaluation process.
3. Ability to communicate in writing with bidders.
4. Ability to tolerate the stress associated with rejecting bids that bidders wish to pursue.
5. Ability to make appropriate business decisions related to bids that appear to be late.
6. Ability to use reasoning skills in applying the criteria used to identify a late bid.
7. Ability to maintain the honesty and integrity of the acquisition process.

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**Other Policies and References (Annotate As Necessary):**

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## Tasks

## Related Standards

<p>1. Identify any late bids, modifications, or withdrawals.</p>	<p>Bidders are responsible for submitting bids, and any modifications or withdrawals, so as to reach the designated Government office by the time specified in the IFB. Any bid, modification, or withdrawal of a bid received at the designated Government office after the exact time specified for receipt of bids is late.</p> <p>Bidders may use any transmission method authorized by the IFB (i.e., regular mail, electronic commerce, or facsimile).</p> <p>If no time is specified in the IFB, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that bids are due.</p> <p>If an emergency or unanticipated event interrupts normal Government processes so that bids cannot be received at the Government office designated for receipt of bids by the exact time specified in the IFB, and urgent Government requirements preclude amendment of the bid opening date, the time specified for receipt of bids will be deemed to be extended to the same time of day specified in the IFB on the first work day on which normal Government processes resume.</p>
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## Tasks

## Related Standards

<p>2. Determine which late bids can be opened and considered for award.</p>	<p>A late bid will not be considered unless:</p> <ul style="list-style-type: none"><li>• It is received before award is made,</li><li>• The Contracting Officer determines that accepting the late bid would not unduly delay the acquisition; and:<ul style="list-style-type: none"><li>- If it was transmitted through an electronic commerce method authorized by the IFB, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of bids; or</li><li>- There is acceptable evidence to establish that it was received at the Government installation designated for receipt of bids and was under the Government's control prior to the time set for receipt of bids.</li></ul></li></ul> <p>However, a late modification of an otherwise successful bid, that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.</p> <p>Acceptable evidence to establish the time of receipt at the Government installation includes:</p> <ul style="list-style-type: none"><li>• The time/date stamp of that installation on the bid wrapper,</li><li>• Other documentary evidence of receipt maintained by the installation, or</li><li>• Oral testimony or statements of Government personnel.</li></ul>
<p>3. Notify the bidder that its bid, modification, or withdrawal was received late.</p>	<p>Promptly notify any bidder if its bid, modification, or withdrawal was received late and inform the bidder whether its bid will be considered, unless contract award is imminent and a notice to unsuccessful bidders prescribed in FAR 14.409 would suffice.</p>

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## Related Standards

<p>4. Document file with respect to each late bid.</p>	<p>Late bids and modifications that are not considered must be held unopened, unless opened for identification, until after award and then retained with other unsuccessful bids. However, any bid bond or guarantee must be returned.</p> <p>If available, the following must be included in the contract file for each late bid, modification, or withdrawal:</p> <ul style="list-style-type: none"><li>• The date and hour of receipt;</li><li>• Statement, with supporting rationale; regarding whether the bid was considered for award; and</li><li>• The envelope, wrapper, or other evidence of the date of receipt.</li></ul>
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