**Section 2000.420 Processing Mistakes**

a) Suspected or alleged mistakes prior to award shall be processed as follows:

1) Whenever the Director of Purchasing suspects that a mistake may have been made in a bid, he/she shall immediately request that the Bidder verify the request. Such request shall inform the Bidder why the request for verification is made, that a mistake is suspected and the basis for such suspicion; e.g., that the bid is significantly out of line with the next low or other bids or with the Agency's estimate. If the time for acceptance of bids is likely to expire before a decision can be made, the Director of Purchasing, shall request all Bidders whose bids may become eligible for award to extend the time for acceptance of their bids. If the Bidder whose bid is believed erroneous does not grant such extension of time and a decision cannot be reached before expiration of the time for acceptance, even if handled by telegraph or telephone as provided in subsection (d) of this Section, the bid shall be considered as originally submitted.

2) If the Bidder verifies his/her bid, the Director of Purchasing shall consider it as originally submitted. If the Bidder alleges a mistake, the Director of Purchasing shall advise him/her to support his allegation by statements concerning the alleged mistake and by all pertinent evidence, such as the Bidder's file copy of the bid, his/her original worksheets and other data used in preparing the bid, subcontractors' and suppliers' quotations, if any, published price lists, and any other evidence which will serve to establish the mistake, the manner in which it occurred, and the bid actually intended.

b) If a mistake is disclosed after award the Agency shall advise the Bidder to support the alleged error by written statements and by all pertinent evidence, such as the Bidder's file copy of the bid, his/her original worksheets and other data used in preparing the bid, subcontractors' and suppliers' quotation (if any), published price lists, and any other evidence which will serve to establish the mistake, the manner in which it occurred, and the bid actually intended.

c) Where the Bidder furnished evidence in support of an alleged mistake, the Director of Purchasing shall consider:

1) All evidence furnished by the Bidder.

2) The bid, the Invitation for Bids, and any specifications or drawings relevant to the alleged mistake.

3) The abstract or record of the bids received.

4) A contract if any.

5) A written statement setting forth:

A) The expiration date of the bid in question and of the other bids submitted;

B) Specific information as to how and when the mistake was alleged;

C) A summary of the evidence submitted by the Bidder;

D) In the event only one bid was received, a quotation of a recent contract price for the supplies or services involved, or, in the absence of a recent comparable contract, the estimate of a fair price for the supplies or services and the basis for such estimate;

E) Any additional evidence considered pertinent including copies of all correspondence between the Agency and the Bidder concerning the alleged mistake; and

F) The course of action with respect to the bid that the Director of Purchasing considers proper on the basis of the evidence.

d) Where the Bidder fails or refuses to furnish evidence in support of a suspected or alleged mistake, the Director of Purchasing shall consider the bid as submitted unless the amount of the bid is so far out of line with the amounts of other bids received or with the amount estimated by the Agency or determined by the Agency to be reasonable, or there are other indications of error so clear, as reasonable to justify the conclusion that acceptance of the bid would be unfair to the Bidder or to other bonafide Bidders, in which case it shall be rejected. The attempts made to obtain the information required and the action taken with respect to the bid shall be fully documented.