**Section 2000.410 Other Mistakes Disclosed Before Award**

Director of Purchasing is authorized, in order to minimize delay in contract awards, to make the administrative determinations described below in connection with mistakes in bids alleged after opening of bids and before award. The authority contained herein to permit correction of bids is limited to bids which, as submitted, are responsive to the Invitation for Bids, and may not be used to permit correction of bids to make them responsive.

a) A determination may be made permitting the Bidder to withdraw its bid where the Bidder requests permission to do so and clear and convincing evidence establishes the existence of a mistake.

b) If the evidence is clear and convincing both as to the existence of a mistake and as to the bid actually intended, and if the bid, both as uncorrected and corrected, is the lowest received, a determination may be made to correct the bid and not permit its withdrawal.

c) A determination may be made permitting the Bidder to correct the bid where the Bidder requests permission to do so and clear and convincing evidence establishes both the existence of a mistake and the bid actually intended. However, if such correction would result in displacing one or more lower acceptable bids, the determination shall not be made unless the existence of the mistake and bid actually intended are ascertainable substantially from the invitation and bid itself. If the evidence is clear and convincing only as to the mistake, but not as to the intended bid, a determination permitting the Bidder to withdraw his/her bid may be made.

d) If the evidence does not warrant a determination under subsections (a), (b), or (c) of this Section, a determination may be made that a Bidder may neither withdraw nor correct his/her bid.

(Source: Amended at 16 Ill. Reg. 10068, effective June 15, 1992)