



Comptroller General
of the United States

136159

Washington, D.C. 20548

Decision

Matter of: National Medical Staffing, Inc.

File: B-265610

Date: September 15, 1995

DECISION

National Medical Staffing, Inc. protests the award of a contract by the Department of Veterans Affairs under invitation for bids No. 543-43-95 for pharmacy services at the Harry S. Truman Memorial Veteran's Hospital in Columbia, Missouri.

We dismiss this protest on the basis that the protester is not an interested party because the protester was the fourth low of five bidders.

Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988), only an "interested party" may protest a federal procurement. That is, a protester must be an actual or prospective supplier whose direct economic interest would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. § 21.0(a). Determining whether a party is interested involves consideration of a variety of factors, including the nature of issues raised, the benefit of relief sought by the protester, and the party's status in relation to the procurement. Black Hills Refuse Serv., 67 Comp. Gen. 261 (1988), 88-1 CPD ¶ 151. A protester is not an interested party where it would not be in line for contract award were its protest to be sustained. ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7. Since there has been no challenge to the eligibility for award of the intervening bidders who would precede the protester in eligibility under this solicitation, the protester lacks the direct economic interest required to maintain a protest.

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