

Becker



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: SRS Technologies, Inc.

File: B-270589

Date: November 30, 1995

DECISION

SRS Technologies, Inc. protests the award of a contract pursuant to the section 8(a) program by the Defense Evaluation Support Activity (DESA). SRS contends that the sole-source 8(a) award is improper since it involves work that SRS is currently providing under its subcontract with a DESA prime contractor under another contract and because the awardee should not qualify under the 8(a) program.

Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556, only an "interested party" may protest a federal procurement. Bid Protest Regulations, Section 21.0(a), 60 Fed. Reg. 40,737, 40,739 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.0(a)); Black Hills Refuse Serv., 67 Comp. Gen. 261 (1988), 88-1 CPD ¶ 151; ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7. A subcontractor is not an interested party entitled to protest. Nasatka Barrier, Inc., B-234371; B-234578, Mar. 31, 1989, 89-1 CPD ¶ 349. Therefore, SRS may not maintain this protest.

Moreover, we generally do not review the stewardship of the section 8(a) program. See Section 21.5(b)(3), 60 Fed. Reg. 40,737, 40,742 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.5(b)(3)). It is for the Small Business Administration, not this Office, to determine who is and is not eligible for award under the 8(a) program.

The protest is dismissed.

Comptroller General
of the United States

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