

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-186421

DATE: September 9, 1976

MATTER OF: Dynamic International, Inc.

DIGEST:

Bidder debarred during pendency of protest concerning specification requirement is not interested party since debarment precluded participation under protested solicitation and rendered further development and resolution of protest academic.

Dynamic International, Inc., protests the minimum man-hour requirement contained in solicitation No. GS-073B-20316, issued by the General Services Administration, Fort Worth, Texas, for custodial services. After the filing of the protest in this case, but prior to the filing of the agency's report, the protester was placed on the debarred bidders list under the Service Contract Act, 41 U.S.C. § 351 et seq. (1970). Section 354(a) of the Act provides:

"* * * no contract of the United States shall be awarded to the persons or firms appearing on this list * * * until three years have elapsed from the date of publication of the list containing the name of such persons or firms."

Our Bid Protest Procedures require that a protesting party have some legitimate interest in the procurement, partly to insure diligent participation in the protest, before this Office will consent to consider the protest. 4 C.F.R. 20.1(a) (1976); Kenneth R. Bland, Consultant, B-184852, October 17, 1975, 75-2 CPD 242. In the instant case, the effect of placing Dynamic International, Inc., on the debarred list was to preclude it from participation under the instant solicitation and to render further development and resolution of the protest academic.

Under these circumstances, the protester is not an interested party and its protest is dismissed.

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General Counsel