

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

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**FILE:** B-212492**DATE:** October 31, 1983**MATTER OF:** True Temper Corporation**DIGEST:**

1. A contract may not be awarded to an entity other than that which submitted the bid. To permit the substitution of bidders would serve to undermine sound competitive procedures in that it would facilitate the submission of bids through irresponsible parties, whose bids then could be avoided or supported by the real principals as their interests might dictate.
2. GAO will not consider a protest by a potential supplier to the low bidder against the contracting agency's finding that the low bidder is nonresponsible, since the protester, being ineligible for award, is not an interested party under GAO's Bid Protest Procedures.

True Temper Corporation protests the General Services Administration's (GSA) decision that Allegheny International Hardware Group, the low bidder on items 3 through 6 in solicitation No. 8FCG-C1020023, is nonresponsible. True Temper did not submit a bid under this solicitation, but rather was identified by Allegheny in its bid as the production and inspection point for items 3 through 6. True Temper also protests GSA's refusal to substitute True Temper for Allegheny as the low bidder; True Temper contends that Allegheny was mistakenly listed as the bidder in place of True Temper, one of a number of firms that have joined to market their products as Allegheny, which itself is not a legal entity.

We deny the protest against GSA's refusal to substitute True Temper for Allegheny, and we dismiss the protest against the finding that Allegheny is not responsible.

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Award may not be made to True Temper, since a contract cannot be awarded to an entity other than that which submitted the bid. 41 Comp. Gen. 61 (1961); 33 id. 549 (1954). To permit the substitution of bidders would serve to undermine sound competitive bidding procedures in that it would facilitate the submission of bids through irresponsible parties, where bids then could be considered or supported by the real principals as their interests might dictate. We therefore find no merit to this part of the protest.

Moreover, True Temper is not an interested party under our Bid Protest Procedures, 4 C.F.R. § 21.1(a) (1983), to protest the rejection of Allegheny's bid. Since True Temper legally may not supplant Allegheny as the bidder, True Temper's status here is simply that of a nonbidding supplier. In general, we will not consider a party's interest to be sufficient for our review of its protest allegations where that party would not be eligible for award even if the issues raised were resolved in its favor. Radix II Incorporated, B-208557.2, September 30, 1982, 82-2 CPD 302. Thus, we will not consider True Temper's protest against GSA's finding that Allegheny is not responsible as True Temper is not eligible for award. See Peter L. Merkel/Data General, Inc., B-204012, September 10, 1981, 81-2 CPD 210.

The protest is denied in part and dismissed in part.

*for*   
Comptroller General  
of the United States