

DECISION



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

FILE: B-220410 DATE: November 13, 1985  
MATTER OF: Royal Flush Janitorial Services, Inc.

DIGEST:

The General Accounting Office will not consider a protest filed by a debarred contractor because it is not an interested party since it is ineligible to receive an award even if the protest were sustained.

Royal Flush Janitorial Services, Inc. protests the award to any bidder other than itself under invitation for bids No. N62472-85-B-4926 issued by the Naval Facilities Engineering Command.

We dismiss the protest.

Subsequent to the filing of the protest, we have been advised that Royal Flush appears on the March 1985 Consolidated List of Debarred, Suspended and Ineligible Contractors, having been debarred by the General Services Administration. The termination date of the debarment is December 1985. A debarred contractor is not eligible to receive a contract. Federal Acquisition Regulation, 48 C.F.R. § 9.405 (1984).

Our Bid Protest Regulations, 4 C.F.R. § 21.1(a) (1985), require that a protesting party be interested in order to maintain a protest before this Office. An interested party is defined as "an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract." Since Royal Flush is not eligible for award even if its protest were sustained, it is not an interested party.

The protest is dismissed.

*Ronald Berger*

Ronald Berger  
Deputy Associate  
General Counsel

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