

Hulperin

DECISION



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

FILE: B-223173

DATE: June 3, 1986

MATTER OF: Potomac Contractors

DIGEST:

GAO will not consider a protest where the protester has been suspended and is ineligible to receive a government contract and, therefore, is not an interested party to protest under Bid Protest Regulations.

Potomac Contractors (Potomac) protests the rejection of its bid under invitation for bids (IFB) No. 3-6-48 issued by the Department of the Interior (Interior), National Park Service (Park Service), for electrical and mechanical repairs at Harpers Ferry National Historic Park, West Virginia. Potomac's bid was rejected on April 11, 1986, because, prior to awarding a contract under the IFB, the Park Service received a March 26, 1986, Interior notice, effective on that date, that Potomac was suspended from contracting with the government.

Potomac contends that its bid should not have been rejected because it was submitted prior to the March 26, 1986, suspension date. In addition, Potomac argues that award was not made in a timely fashion.

Under Our Bid Protest Regulations, a party must be "interested" before we will consider its protest. 4 C.F.R. §§ 21.0(a) and 21.1(a) (1985). A party is not interested if it would not be eligible for award should its protest be upheld. Space Dynamics Corp., B-220168.2, Nov. 29, 1985, 85-2 C.P.D. ¶ 620. Since Potomac is no longer eligible for award, even if its protest is sustained, it is not an interested party. Space Dynamics Corp., B-220168.2, supra.


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