



The Comptroller General
of the United States

Washington, D.C. 20548

Belhobby

Decision

Matter of: Avanti Enterprises, Inc.

File: B-227835.2

Date: June 30, 1987

DIGEST

General Accounting Office dismisses protest where debarment proceeding against the protester has been initiated, because pending a debarment decision, the firm is not eligible for award of a government contract.

DECISION

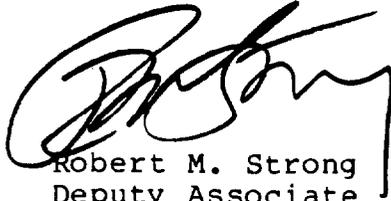
Avanti Enterprises, Inc. protests the award of any contract under request for proposals (RFP) No. 794-4-87, issued by the Veterans Administration (VA) for subscription services. Avanti contends that its application to the Small Business Administration for a certificate of competency (COC) under the RFP was improperly interrupted by suspension proceedings brought by the VA, and that those proceedings are based on erroneous information which could have been corrected if the COC procedure had been allowed to continue.

Material that Avanti submitted with its protest indicates that the VA in a letter dated May 15, 1987, notified Avanti of its intention to include Avanti in current debarment proceedings against another firm because of Avanti's affiliation with that firm. Under our Bid Protest Regulations, a protesting party must have some legitimate interest in the matter before this Office will consider the protest. 4 C.F.R. § 21.1(a) (1986). A firm for which debarment proceedings have been initiated is precluded from receiving any government contract awards pending a final debarment decision. See Federal Acquisition Regulation (FAR), 48 C.F.R. § 9.406-3(c)(7) (1986). We therefore will not consider Avanti's protest on the merits because, even if we were to sustain it, Avanti is not eligible to receive an

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award under the protested solicitation. See Wilkinson Manufacturing Co., B-225810, Mar. 23, 1987, 87-1 CPD ¶ 333.

The protest is dismissed.

A handwritten signature in black ink, appearing to read 'R. Strong', written over the typed name.

Robert M. Strong
Deputy Associate
General Counsel