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The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Inter-Continental Equipment, Inc.

File: B-230266.2

Date: June 22, 1988

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### DIGEST

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.

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### DECISION

Inter-Continental Equipment, Inc. (ICE) protests the rejection of its bid under invitation for bids (IFB) No. DAAK01-87-B-A056, issued by the United States Army Troop Support Command. ICE, a small business, was initially found nonresponsible and was referred to the Small Business Administration (SBA) for a certificate of competency (COC). ICE alleges that the contracting officer failed to consider new information regarding ICE's responsibility that the protester submitted after the SBA refused to issue a COC to the firm.

We have been advised that ICE was debarred by the Executive Branch, effective June 20, 1988, for a period of 3 years. A debarred contractor is not eligible to receive a contract. Royal Flush Janitorial Services, Inc., B-220410, Nov. 13, 1985, 85-2 CPD ¶ 552.

Our Bid Protest Regulations, 4 C.F.R. § 21.1(a) (1988), 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

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award of a contract or by the failure to award a contract."  
4 C.F.R. § 21.0(a). Since ICE is not eligible for award  
even if its protest were sustained, it is not an interested  
party.

The protest is dismissed.

A handwritten signature in cursive script, appearing to read "Ronald Berger".

Ronald Berger  
Deputy Associate  
General Counsel