

Lieberman



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Sparton Defense Electronics  
**File:** B-237396  
**Date:** November 6, 1989

---

### DIGEST

Protest by offeror which would not be in line for award if its protest were upheld is dismissed because the protester does not have the requisite direct economic interest required to be considered an interested party under the General Accounting Office's Bid Protest Regulations.

---

### DECISION

Sparton Defense Electronics protests the award of a contract to Hazeltine Corporation under request for proposals No. N00039-88-R-0103, issued by the Space and Naval Warfare System Command (SPAWAR) for the manufacture and supply of radio transmitter buoys. The protester contends that Hazeltine should not have received the award because Hazeltine was suspended. From government contracting at the time it submitted its proposal.

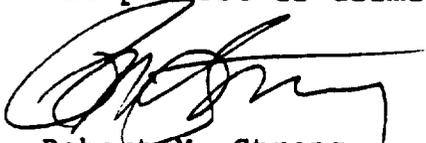
We dismiss the protest.

Our Bid Protest Regulations, 4 C.F.R. § 21.0(a) and § 21.1(a) (1989), require that a party be "interested" before we will consider its protest. A protester is not interested where it would not be in line for award if its protest were upheld. OAD Corp.; 21st Century Robotics, Inc., B-232216; B-232216.2, Dec. 1, 1988, 88-2 CPD ¶ 546. Based on the evaluation, results Sparton is third in line for award behind Hazeltine and Sippican's price was lower and its technical score higher than Sparton's and Sparton has not challenged Sippican's eligibility for an award. Thus, even if Sparton's and protest was sustained, Sparton would not be eligible for award as Sippican would be next in line. Accordingly, Sparton is not an interested part to challenge the award to Hazeltine. Id.

047021/139946

Sparton's request for its proposal preparation costs is denied since its protest is dismissed. Rix Industries Inc.; Ingersoll-Raud Co., B-225176.3; B-225176.4, Mar. 30, 1987, 87-1 CPD ¶ 356.

The protest is dismissed.



Robert M. Strong  
Associate General Counsel