

*Mo. Sklarew*



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Joe Zapata

**File:** B-239729

**Date:** June 6, 1990

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Joe Zapata, for the protester.  
Lester Edelman, Esq., and Linda Selinger, Esq., Army Corps  
of Engineers, for the agency.  
Christina Sklarew, Esq., and Michael R. Golden, Esq., Office  
of the General Counsel, GAO, participated in the preparation  
of the decision.

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### DIGEST

Protest is dismissed where protester does not identify  
itself as representing any bidder under the solicitation or  
otherwise explain its interest, and no bid was submitted in  
the protester's name.

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### DECISION

Joe Zapata protests that the low bidder under the Army Corps  
of Engineers invitation for bids (IFB) No. DACW05-90-B-0030  
had knowledge of the government estimate for the  
solicitation, providing the company an unfair competitive  
advantage.

The Corps of Engineers advises that no bid was submitted  
under the protester's name, and that the agency has no  
knowledge of the protester's interest in the procurement.

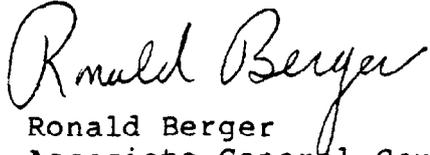
Under the Competition in Contracting Act of 1984 (CICA),  
31 U.S.C. § 3551 (1988), and our Bid Protest Regulations,  
4 C.F.R. § 21.1(a) (1990), a party must be "interested" in  
order to have its protest considered by our Office. CICA  
and our Bid Protest Regulations define an interested party  
as "an actual or prospective bidder or offeror whose direct  
economic interest would be affected by the award of the  
contract or by failure to award the contract." 31 U.S.C.  
§ 3551(2) (1988); 4 C.F.R. § 21.0(a).

Here, the protester has given no information that would  
establish its status as a party with the requisite interest

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in the procurement. Moreover, the agency advises that it was unable to contact the protester by telephone or by visiting the address listed on the protest submission, and thus does not even have enough information to enable it to gather any additional information about the protester.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in black ink and is positioned above the typed name and title.

Ronald Berger  
Associate General Counsel