

Becker



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Altech Services, Inc.

File: B-261728

Date: June 20, 1995

DECISION

Altech Services Inc. protests the award of a contract to CABACO, Inc. by the Department of the Army under solicitation No. DAEA32-94-R-0017, a small disadvantaged business (SDB) set-aside. Altech contends that the evaluation panel favored award to CABACO rather than Altech and that there were numerous procurement improprieties.

We dismiss this protest on the basis that the protester is not an interested party. Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988), only an "interested party" may protest a federal procurement. A protester is not an interested party where it would not be in line for contract award were its protest to be sustained. ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7. In this regard, Altech, as a non-SDB company,¹ would not be eligible for award and therefore is not an interested party entitled to maintain this protest. See 4 C.F.R. §§ 21.0(a), 21.1(a); ECS Composites, Inc., supra.

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¹Challenges to small business and small disadvantaged business size status are resolved by the Small Business Administration (SBA), not the General Accounting Office. 4 C.F.R. § 21.3(m); 13 C.F.R. §§ 121.1601 et seq., 124.601 et seq. In this case, the SBA has already ruled, and affirmed, that Altech is not an SDB for the purposes of this procurement.

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