

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

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**FILE:** B-215633**DATE:** July 23, 1984**MATTER OF:** International Brotherhood of Electrical  
Workers Local Union No. 595**DIGEST:**

Labor union is not an interested party to protest that the two low bidders collaborated in determining their bid prices where there is a third bidder who could get the contract award if a protest on this issue was sustained.

The International Brotherhood of Electrical Workers Local Union No. 595 (IBEW) protests any award of a contract to either of the two low bidders under Department of the Navy (Navy) invitation for bids (IFB) No. N62474-82-B-6409. IBEW alleges that the two low bidders violated the IFB provision which requires bidders to independently price their bids.

The protest is dismissed because IBEW is not an interested party to protest the issue it has raised.

Our Bid Protest Procedures require that a party be "interested" in order that its protest may be considered. 4 C.F.R. § 21.1(a) (1983). In determining whether a protester is interested, we examine the degree to which the asserted interest is both established and direct. We consider the nature of the issues raised and the direct or indirect benefit or relief sought by the protester. The party's relationship to the question raised by the protest must be direct. If there is an intermediate party with a greater interest, we will consider the protester to be too remote from the cause to establish interest within the meaning of our Bid Protest Procedures. Marine Engineers Beneficial Association, Seafarers International Union, B-195550, Dec. 5, 1980, 80-2 C.P.D. ¶ 418.

In the present case, IBEW's interest in the procurement is based on its representation of electrical workers who it alleges will be displaced if a contract is awarded to either of the two low bidders. The record indicates, however, that at least one other bidder responded to the IFB. Since this bidder could be awarded a contract if a protest on the issue

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raised by IBEW is sustained, we find that this bidder is an intermediate party with a greater interest in the protest issue than IBEW. See Union of Public Works Center, San Francisco Bay Employees, B-214206, Mar. 12, 1984, 84-1 C.P.D. ¶ 286; Professional Helicopter Pilots Association, B-208031.2, Oct. 22, 1982, 82-2 C.P.D. ¶ 363. Consequently, IBEW is not an interested party and we will not consider its protest.

*Harry R. Van Cleve*

Harry R. Van Cleve  
Acting General Counsel