

DECISION



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

FILE: B-220838

DATE: October 23, 1985

MATTER OF: National Federation of Federal Employees  
Local 2049

DIGEST:

To be considered an interested party so as to have standing to protest under the Competition in Contracting Act of 1984 and GAO Bid Protest Regulations, a party must be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award or failure to award the contract involved. A union local which represents federal employees is not an interested party to protest the contracting agency's decision to contract for services rather than perform them in-house, since it is not an actual or prospective bidder or offeror under the challenged solicitation.

The National Federation of Federal Employees Local 2049 protests the award by the Army of a contract to be performed at the White Sands Missile Range, New Mexico. The protester does not identify the challenged contract by number or describe what services or supplies are being procured, and identifies the contractor only as "Dynatec or Dynalectron." We dismiss the protest.

The protest concerns the Army's decision under Office of Management and Budget Circular No. A-76 to contract for services rather than perform them in-house. The protester challenges the cost comparison on which the decision to contract out was based, stating only that the function involved formerly was performed by two government employees and now is being performed by eight contractor employees.

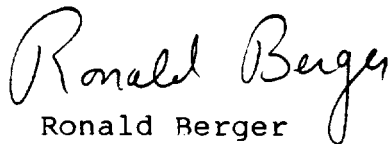
Under the Competition in Contracting Act of 1984, 31 U.S.C.A. § 3551(2) (West Supp. 1985), and our Bid Protest Regulations, 4 C.F.R. § 21.0(a) (1985), a protest may be brought only by an "interested party," defined as an

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actual or prospective bidder or offeror whose direct economic interest would be affected by the award or failure to award the contract involved. Here, it appears from the face of the protest that the protester, a union local representing federal employees, was not an actual or prospective bidder or offeror under the solicitation being challenged. As a result, the protester is not an interested party eligible to file a protest. Federal Employees Metal Trades Council, Save Our Jobs Committee, 64 Comp. Gen. 244 (1985), 85-1 CPD ¶ 151.

The protest is dismissed.



Ronald Berger  
Deputy Associate  
General Counsel