

DECISION



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

FILE: B-220390 **DATE:** November 4, 1985
MATTER OF: Stacor Corporation

DIGEST:

Protester who did not bid is not an interested party under GAO's Bid Protest Regulations because protester's interest as a supplier to dealer who bid on IFB is too remote.

Stacor Corporation (Stacor) protests irregularities that allegedly occurred in the award under invitation for bids (IFB) No. N66604-85-Q-F351 issued by the Naval Underwater Systems Center, Newport, Rhode Island, for a high density mobile storage system.

Stacor, a manufacturer of storage systems, did not bid on the IFB, but protests that neither it nor its dealer, Donnegan Systems, which bid on the IFB, was advised that bidders could utilize old shelving in preparing their bids. Stacor alleges that the Navy's user office orally advised Donnegan 1 day prior to bid opening that the use of old shelving was a possibility. We dismiss the protest.

To be considered under our Bid Protest Regulations, a protest must be filed by an interested party within the meaning described in our Regulations. An interested party is defined as an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. 4 C.F.R. § 21.0(a) (1985). Furthermore, our Office no longer considers subcontractor protests except where the subcontract is by or for the government. 4 C.F.R. § 21.3(f) (10); Polycon Corporation, B-218304; B-218305, May 17, 1985, 85-1 C.P.D. ¶ 567.

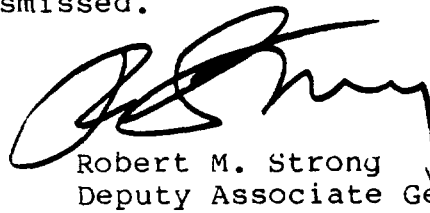
In determining whether a protester is sufficiently interested so as to permit our consideration, we examine the extent to which there exists a direct relationship between the questions raised and the party's asserted interest and the degree to which that interest is established. Where there are intermediate parties that have a greater interest than the protester, we have generally considered the

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protester to be too remote to establish interest within the meaning of our Bid Protest Regulations. See Don Strickland's Consultant and Advisory Service, B-217178; B-217388, Feb. 5, 1985, 85-1 C.P.D. ¶ 141.

Since Stacor did not submit a bid, it is not an actual or prospective bidder, but solely a supplier, and its interest is too remote to have the required direct economic interest in the outcome of the procurement. Therefore, we will not consider the protest.

The protest is dismissed.

A handwritten signature in black ink, appearing to read 'R. Strong', is written over the typed name and title.

Robert M. Strong
Deputy Associate General Counsel