



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Isometrics, Inc.
File: B-224208
Date: November 3, 1986

DIGEST

Protest is dismissed because protester is not an interested party under GAO's Bid Protest Regulations where protester, third low bidder, would not be in line for award should its protest against low bid be sustained, given that protester has not protested against any possible award to second low bidder.

DECISION

Isometrics, Inc. (Isometrics), has protested the proposed award of a Marine Corps contract to the Sharman Company, Inc. (Sharman) under invitation for bids (IFB) No. M00027-86-B-0035 issued for "water tank storage module units." Isometrics argues that Sharman's low bid should be rejected as nonresponsive to the delivery schedule requirements of the IFB.

We dismiss the protest based on the Marine Corps' report which shows that Isometrics is not an interested party under our Bid Protest Regulations. See 4 C.F.R. § 21.3(f) (1986), which provides that when the propriety of a dismissal becomes clear only after information is provided by the contracting agency, we will dismiss the protest at that time.

The Marine Corps reports that Isometrics, the third lowest bidder, is not in line for award under this IFB should Sharman's bid be rejected. Instead, the bid of the second low bidder, Gil, Inc. (Gil), would be accepted since Gil is considered by the Marine Corps to have submitted a responsive bid and to be a responsible bidder and because Isometrics has not protested any possible award to Gil. In these circumstances, where Isometrics would not be next in line for award of the contract if its protest were upheld, Isometrics is not an interested party for the purpose of protesting the

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responsiveness of the low bid under our Bid Protest Regulations and, consequently, we dismiss the protest. See 4 C.F.R. § 21.0(a); Eastman Kodak Co., B-220646, Jan. 31, 1986, 86-1 C.P.D. ¶ 113.



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