



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Storz Instrument Company

File: B-228534

Date: October 29, 1987

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### DIGEST

Protest filed by company not in line for award is dismissed because the company does not have the requisite direct economic interest to be considered an interested party under the General Accounting Office Bid Protest Regulations.

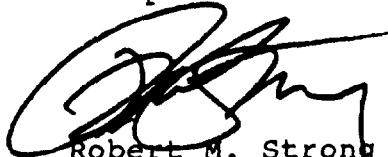
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### DECISION

Storz Instrument Company protests the award of a contract to Microscope Company under invitation for bids No. DLA120-87-R-1872, issued by the Defense Personnel Support Center, for surgical microscopes. We dismiss the protest.

On October 20, 1987, the procuring agency reported that Storz was the third low bidder. We have held that a protester not in line for award lacks standing as an interested party to have its protest considered on the merits. See First Federal Data Services Company, B-224183.2, Feb. 18, 1987, 87-1 C.P.D. ¶ 179. This is because our Bid Protest Regulations, 4 C.F.R. §§ 21.0(a) and 21.1(a) (1987), require that a bidder qualify as an interested party, defined as an actual or prospective bidder whose direct economic interest is affected by the award of, or the failure to award, the contract, in order to be eligible to pursue the protest. Since Storz did not allege that the second low bidder was ineligible for the award, we find that Storz is not an interested party.

The protest is dismissed.

  
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General Counsel

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