



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Datametrics Corporation

**File:** B-241983

**Date:** November 20, 1990

Sidney E. Wing for the protester.  
Linda C. Glass, Esq., Office of the General Counsel, GAO,  
participated in the preparation of the decision.

### DIGEST

Protest filed by a prospective subcontractor/supplier to potential prime contractors is dismissed since the protester is not an interested party eligible to have its protest considered under the Competition in Contracting Act of 1984 and the General Accounting Office's implementing Bid Protest Regulations.

### DECISION

Datametrics Corporation protests as unduly restrictive of competition a requirement that prohibits the use of printers which employ thermal paper in request for proposals (RFP) No. DAAB07-90-R-L100, issued by the U.S. Army Communications Electronics Command (CECOM) for the Lightweight Computer Unit Program. We dismiss the protest because Datametrics is not an interested party.

Datametrics in its protest asserts that precluding the use of thermal paper limits the competitive process and prohibits the use of paper which has always been readily available and which has been in use for several years by all the military agencies without any adverse impact.

Datametrics, a manufacturer of printers, admits in its protest that it is a subcontractor and that it was preparing proposals in response to requests from potential prime contractors.

Under the Competition in Contracting Act of 1984 (CICA) and our Bid Protest Regulations, this Office only decides protests filed by an interested party, which the statute defines as an "actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by

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the failure to award the contract." 31 U.S.C. § 3551(2) (1988); 4 C.F.R. § 21.0 (1990). A prospective supplier or subcontractor does not have the requisite direct interest to be considered a prospective or actual offeror. High Tech Irrigation, Inc., B-236818, Oct. 26, 1989, 89-2 CPD ¶ 387. Polycon Corp., 64 Comp. Gen. 523 (1985), 85-1 CPD ¶ 567.

Although Datametrics obviously has an economic interest in being able to offer its product to the prime contractor, this interest is not the direct economic interest of an actual or prospective offeror contemplated by CICA. Thus, Datametrics is not an interested party to protest the propriety of the solicitation's specifications.

The protest is dismissed.

*Michael R. Golden*

Michael R. Golden  
Assistant General Counsel