



Comptroller General  
of the United States

Washington, D.C. 20548

# Decision

**Matter of:** NP Medical Group, Inc.

**File:** B-257394

**Date:** June 15, 1994

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## DECISION

NP Medical Group, Inc. protests the award of a contract to another offeror by the Department of Health and Human Services under request for proposals No. 246-93-R-0018. NP Medical asserts that as a small disadvantaged business (SDB) it was entitled to a 10 percent evaluation preference. NP Medical argues that with the 10 percent evaluation preference it would be the lowest priced, technically acceptable offeror.

We dismiss the protest.

The solicitation did not provide for the application of an SDB preference. While such a preference is provided for in certain Department of Defense solicitations, see Defense Federal Acquisition Regulation Supplement § 252.219-7006, that preference program has no applicability here. Accordingly, as the protest does not state a valid basis for challenge to the award, it must be dismissed without further action.

Ronald Berger  
Associate General Counsel