



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: The Great Lakes Towing Company
File: B-257672
Date: July 19, 1994

DECISION

The Great Lakes Towing Company protests the U.S. Coast Guard's award to Pascol Engineering of contract No. DTCG80-94-D-3FA838, for repair of the Coast Guard Cutter SUNDEW. The protester contends that Pascol, a Canadian firm, had an unfair competitive advantage over domestic bidders--and should therefore have been excluded from the competition--since it would not be required to comply with various socioeconomic requirements applicable to domestic firms, such as those pertaining to procurement integrity, equal opportunity, clean air and water, and a drug-free workplace.

We dismiss this protest on the basis that the protester is not an interested party.

Five bidders responded to the IFB. Pascol's evaluated bid of \$213,829 was low; Fraser Shipyards of Superior, Wisconsin was second low at \$232,203; and Great Lakes was third low at \$287,308.80.

Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988), only an "interested party" may protest a federal procurement. That is, a protester must be an actual or prospective supplier whose direct economic interest would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. § 21.0(a) (1994). Determining whether a party is interested involves consideration of a variety of factors, including the nature of issues raised, the benefit of relief sought by the protester, and the party's status in relation to the procurement. Black Hills Refuse Serv., 67 Comp. Gen. 261 (1988), 88-1 CPD ¶ 151. A protester is not an interested party where it would not be in line for contract award were its protest to be sustained. ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7.

Since there has been no challenge to the eligibility for award of Fraser Shipyards, which would precede the protester in eligibility under this solicitation, the protester lacks the direct economic interest required to protest the award to Pascol.

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