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Comptroller General
of the United States

Washington, D.C. 20548

Decision

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Matter of: Compuline International, Inc.

File: B-261289.3

Date: October 17, 1995

DECISION

Compuline International, Inc. protests the elimination of its proposal from the competitive range under solicitation No. RFP-IRS-95-0007, issued by the Department of the Treasury.

We dismiss this protest because the protester, an other-than-8(a) business, is not an interested party to challenge a contracting agency decision in a procurement that has been set aside for a Small Business Administration 8(a) award.

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 have a direct economic interest which would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. § 21.0(a). Determining whether a protester 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 the protester, as an other-than-an 8(a) business, is ineligible for award under this solicitation, it is not an interested party for the purpose of challenging this procurement. ARO Corp., B-231438, July 22, 1988, 88-2 CPD ¶ 74.

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