

*R. W. Wainoff*



Comptroller General  
of the United States

Washington, D.C. 20548

# Decision

**Matter of:** Homeport Associates--Request for Reconsideration  
**File:** B-237600.2  
**Date:** December 19, 1989

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## DIGEST

Previous dismissal is affirmed on reconsideration because the General Accounting Office does not consider protests from potential subcontractors since they are not interested parties under Competition in Contracting Act of 1984.

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## DECISION

Homeport Associates requests reconsideration of the dismissal of its protest under request for proposals No. N61533-89-R-0044, issued by the Department of the Navy for thermoelectric cooling modules. The protest was dismissed because Homeport is only a potential subcontractor.

We affirm our dismissal.

In its request for reconsideration, Homeport recognizes that it must be an interested party to protest but suggests that its dismissal was predicated on a "technicality," and asks that we conduct an investigation into generally alleged improprieties in conjunction with the protested procurement.

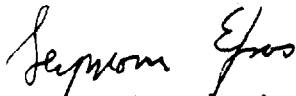
Status as an "interested party" to file a protest is not a "technicality" as Homeport suggests. Under the Competition in Contracting Act of 1984 (CICA), this Office only decides protests by an "interested party," which CICA defines as an "actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract." 31 U.S.C. § 3551(2) (Supp. IV 1986). Since this definition plainly requires protesters to be actual or prospective offerors, and since Homeport is admittedly not such a party, we

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properly declined to consider Homeport's protest. See Microrim, Inc.--Request for Reconsideration, B-225525.2, Jan. 14, 1987, 87-1 CPD ¶ 58.

As to the request for an investigation into the validity of Homeport's allegations, we point out that since it is the protester's responsibility to submit appropriate evidence in support of its allegations, we generally do not conduct investigations as part of the bid protest function. See Swager Communications, Inc., B-220000.2, Nov. 21, 1985, 85-2 CPD ¶ 585, aff'd on reconsideration, B-220000.4, Dec. 23, 1985, 85-2 CPD ¶ 702.

Accordingly, the dismissal is affirmed.



James F. Hinchman  
General Counsel