



The Comptroller General
of the United States

Washington, D.C. 20548

Goddard
PL-F

Decision

Matter of: Data Communications Systems Corporation

File: B-227212

Date: June 11, 1987

DIGEST

Fifth low offeror is not an interested party to protest an award to an allegedly noncomplying offeror. Even if the protest were sustained the protester would not be in line for award.

DECISION

Data Communications Systems Corporation (DCSC) protests the award of a contract to Symplex Communications Corporation (Symplex) under request for proposals (RFP) DAAB07-87-R-1405 issued by the Army Communications-Electronics Command (CECOM), Fort Monmouth, New Jersey.

The protest is dismissed. 4 C.F.R. § 21.3(f) (1986).

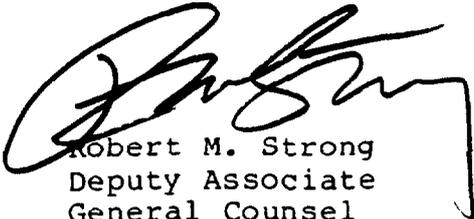
DCSC alleges that the low offeror's product does not meet the required specifications. DCSC's offer was the fifth lowest of seven offerors.

The solicitation provided that award would be made to the offeror who submitted the lowest priced, technically acceptable proposal. Since it is apparant from the solicitation that a single, aggregate award to the lowest priced offeror was to be made, we find that DCSC lacks the "direct economic interest" that is necessary to make it an interested party under our Bid Protest Regulations. See 4 C.F.R. § 21.0(a) (1986); Xmco, Inc., B-225678, Mar. 19, 1987, 87-1 C.P.D. ¶ 315. DCSC, as the fifth lowest offeror, would not be in line for award even if we sustained its

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protest and recommended that the award to Symplex be terminated. Xmco, Inc., B-225678, supra.

The protest is dismissed.



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