



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

Holly

OFFICE OF GENERAL COUNSEL

B-222218.2

April 3, 1986

Boonton Electronics Corporation
791 Route 10
Randolph, New Jersey 07869

Attn: Robert J. Hannon
President

Gentlemen:

This is in response to your letter of March 14, 1986 requesting clarification of our dismissal of your protest.

We dismissed the protest because it is concerned with the award of a subcontract by a company that you describe as a second-tier contractor. We do not consider such matters. Under the Competition in Contracting Act of 1984, 31 U.S.C.A. §§ 3551-3556 (West Supp. 1985), which provides this Office with specific authority to resolve bid protests, our jurisdiction is limited to contract awards made by and solicitations issued by federal agencies. Furthermore, protests may be filed only by actual or prospective bidders or offerors on the federal agency procurement. Although the equipment about which you are concerned ultimately will be integrated into a system delivered to the government under a contract awarded by the Navy, the specific purchase of the equipment by a subcontractor for delivery to the Navy's prime contractor does not constitute a procurement by a federal agency. Accordingly, we had no choice but to dismiss your protest.

Sincerely yours,

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger
Deputy Associate
General Counsel

035021