

**DECISION****THE COMPTROLLER GENERAL  
OF THE UNITED STATES**

WASHINGTON, D. C. 20548

FILE: B-184917

DATE: October 21, 1975

MATTER OF: Kleen-Rite Corporation

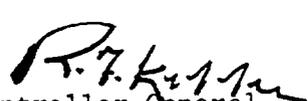
**DIGEST:**

Since GAO has no authority to withhold an award pending determination of bidder's small business status by Small Business Administration, protest requesting such relief is dismissed.

Kleen-Rite Corporation (Kleen-Rite) protests an award to Checker Services, under invitation for bids (IFB) No. N62472-76-C-2304, a small business set-aside issued by the Naval Air Station, Brunswick, Maine. Kleen-Rite has protested the small business status of Checker Services to the contracting officer and has requested this Office to withhold the award until a final determination of size status is made by the Small Business Administration (SBA) Regional Office.

Regarding Kleen-Rite's request that this Office withhold the award until final determination by the SBA, we have no authority to order the withholding of an award. Tektronix, Inc., B-178907, February 27, 1974, 74-1 CPD 107. However, where a contracting officer receives a protest regarding the size status of a bidder prior to award, he is required to suspend procurement action unless he determines in writing that the procurement is urgent. ASPR § 1-703(b)(3)(iv) (1974 ed.). See Cottrell Engineering Corporation, B-182783, January 24, 1975, 75-1 CPD 47.

Accordingly, Kleen-Rite's request to withhold the award is dismissed.

  
Deputy Comptroller General  
of the United States