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DECISION

THE COMPTROLLER GENERAL OF THE UNITED STATES WASHINGTON, D.C. 20548

FILE: B-195844

DATE: October 12, 1979

MATTER OF: Security Unlimited Enterprises, Inc.

DIGEST:

[Protest concerning small business size status] is not for consideration by GAO since by law matter is for decision by Small Business Administration.

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CWG 1813

Security Unlimited Enterprises, Inc., protests the proposed award of a contract to Transco Security, Inc., the low bidder under solicitation No. F32605-79-B-0036, a small business set-aside issued by the Department of the Air Force. The protester contends that Transco is ineligible for the award on the basis that the firm "is known in the industry as a large business concern."

AOC 35

Under 15 U.S.C. § 637(b)(6) (1976), the Small Business Administration (SBA) is empowered to conclusively determine small business size status for Federal procurement and sales purposes. Cardan Company, B-193839, January 31, 1979, 79-1 CPD 76; United States Certification Bureau, Inc., B-192564, August 18, 1978, 78-2 CPD 136. In this connection, we have been informally advised by the Air Force that the matter has been referred to the SBA for determination.

AOC 2

The protest therefore is dismissed.

for Harry R. Van Cleave Milton J. Socolar General Counsel

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Small business set-aside Bidder eligibility small business contractors