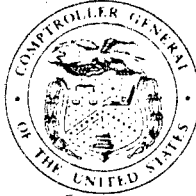


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DECISION



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

FILE: B-198803.2

DATE: November 18, 1980

MATTER OF: Rosa Pen Co., Inc. DLG 05524

[Protest of SBA Refusal to Issue Certificate of Competency]
DIGEST:

When Certificate of Competency (COC) has been denied, GAO will not review determination by Small Business Administration, require issuance of a COC, or require reopening of case.

Rosa Pen Co., Inc. protests the refusal of the Small Business Administration (SBA) to issue it a Certificate of Competency (COC) in connection with solicitation No. 2FC-SH-A-A0052 issued by the General Services Administration (GSA).

The denial of the COC came after GSA determined Rosa to be nonresponsible. SBA concurred in the agency's decision, basing its finding upon Rosa's poor performance on the prior year's contract for a similar item. SBA concluded that Rosa failed to demonstrate that the problems which arose under the prior contract would not recur on the proposed procurement.

Under 15 U.S.C. § 637(b)(7) (Supp. I, 1977) SBA has the authority to issue or deny a COC. Our Office will not review an SBA determination, require issuance of a COC, or normally require reopening of a case when a COC has been denied. Saturn Systems, Inc., B-193982, March 1, 1979, 79-1 CPD 141; 141; Fil-Coil Company, Inc., B-198422, April 29, 1980, 80-1 CPD 307. Consequently, no useful purpose would be served by our consideration of the protest.

The protest is dismissed.

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

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