

DECISION



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

FILE: B-209918

DATE: December 9, 1982

MATTER OF: Environmental Aseptic Services
Administration

DIGEST:

Protest against small business size standard classification in solicitation is not for consideration by GAO since Small Business Administration Size Appeals Board has conclusive jurisdiction to entertain appeal from contracting officer's determination of such classification.

Environmental Aseptic Services Administration (EASA) protests the small business size standard classification contained in solicitation No. N62474-82-C-8255 issued by the Navy. EASA contends that the applicable size standard should be \$2 million in average annual receipts, since the contract is for lawn and garden services, rather than the \$7.5 million standard contained in the solicitation. EASA further asserts that, as a result of the allegedly improper size standard, the performance bond requirement is unreasonably high.

Under the Small Business Administration (SBA) regulations, the initial determination of the product or service classification and the size standard to be used for a specific procurement is made by the contracting officer with the right of appeal to the Size Appeals Board of SBA. 13 C.F.R. §§ 121.3-8, 121.3-6 (1982). The SBA determination on any size classification is conclusive and, therefore, our Office does not consider such matters. Nuzzi Bros. Transfer & Storage, Inc., B-204921, December 1, 1981, 81-2 CPD 437.

We dismiss the protest.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel