

DECISION



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

207216

FILE: B-212238

DATE: July 18, 1983

MATTER OF: Columbus Jack Corporation

DIGEST:

The Small Business Administration, not GAO, has conclusive statutory authority to determine the responsibility of a small business that is found nonresponsible by the contracting agency.

Columbus Jack Corporation protests a negative determination of responsibility made by the Army under invitation for bids No. DAAE07-83-B-A764.

Columbus Jack states that it has been a responsible bidder for many years, should not have been found non-responsible and should not be required to go through the Small Business Administration's (SBA) Certificate of Competency (COC) procedures.

We dismiss the protest.

The question of Columbus Jack's responsibility is not for consideration by our Office. The SBA, not GAO, has the authority to ultimately determine a small business bidder's responsibility by issuing or declining to issue a COC and that determination is conclusive on our Office. 15 U.S.C. § 637(b)(7) (Supp. IV 1980). The protester's submission indicates that the matter has been referred to the SBA. We, therefore, cannot consider the matter since that would amount to our substituting for the agency specifically authorized by statute to review such determinations. Gabriel and Associates, B-210863, March 15, 1983, 83-1 CPD 261; Art's Supplies & Services, B-210156, January 6, 1983, 83-1 CPD 14.

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

026162