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**DECISION**



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

**FILE:** B-212504

**DATE:** August 15, 1983

**MATTER OF:** Singleton Contracting Corp.

**DIGEST:**

Since the Small Business Administration has conclusive authority to determine the responsibility of a small business, GAO will not review a contracting agency's decision that a small business is nonresponsive.

Singleton Contracting Corp. (Singleton) protests the rejection of its bid under invitation for bids (IFB) No. DTCG29-83-B-02391, issued by the United States Coast Guard (Coast Guard) for building rehabilitation services. Singleton, a small business, states that the Small Business Administration (SBA) notified Singleton that the Coast Guard rejected its low bid because of Singleton's untimely and poor performance on prior contracts.

Although Singleton reports that its bid was rejected as nonresponsive, a firm's prior performance history concerns the firm's responsibility. See S.A.F.E. Export Corporation, B-203346, January 15, 1982, 82-1 CPD 35. A procuring agency which determines that a small business is nonresponsive must refer the matter to the SBA for a final decision under the SBA certificate of competency (COC) procedure. Wallace & Wallace, Inc., Wallace & Wallace Fuel Oil, Inc., B-209859; B-209860, December 2, 1982, 82-2 CPD 501. Since under this procedure the SBA has authority to issue a conclusive decision concerning the responsibility of small business, this Office will not review a contracting agency's determination that a small business is nonresponsive. Gundy's Transfer & Storage, B-210350, January 15, 1983, 83-1 CPD 33.

The protest is dismissed.

*F. H. Barclay, Jr.*  
for Harry R. Van Cleave  
Acting General Counsel

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