

DECISION

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

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FILE: B-212596**DATE:** August 15, 1983**MATTER OF:** Integrity Management International, Inc.**DIGEST:**

Determination whether to set aside a procurement under section 8(a) of the Small Business Act, and the Small Business Administration's compliance with its own internal guidelines, are matters for the SBA, which GAO will not review absent a showing of possible fraud or bad faith on the part of Government officials of a violation of applicable regulations.

Integrity Management International, Inc. protests the Department of the Army's decision to set aside a contract under the Small Business Administration's (SBA) 8(a) program and the award of that contract to A to Z Maintenance, a company which Integrity states previously has been awarded a contract under open competitive bidding. Integrity also protests the failure by SBA to perform an impact assessment regarding the effect of an 8(a) award on Integrity's business posture.

Section 8(a) of the Small Business Act, 15 U.S.C. § 637(a) (Supp. IV 1980), authorizes the SBA to enter into contracts with any Government agency with procuring authority and to arrange for performance of such contracts by letting subcontracts to socially and economically disadvantaged small business concerns. The contracting officer is authorized "in his discretion" to let a contract to the SBA upon such terms and conditions as may be agreed upon by the procuring agency and the SBA. We do not review decisions to effect procurements under the 8(a) program, and we do not consider protests of 8(a) awards, absent a showing of possible fraud or bad faith on the part of Government officials or a possible violation of applicable regulations. M G L Construction, Inc., B-210766, February 22, 1983, 83-1 CPD 184. No such showing has been made here.

With respect to the impact assessment, SBA's Standard Operating Procedures (SOP) do provide for SBA's making such an assessment, but the SOP represents internal SBA policies

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and guidelines rather than regulations having the force and effect of law. We therefore generally do not review SBA's compliance with its SOP. M G L Construction, Inc., B-210766.2, April 25, 1983, 83-1 CPD 454.

The protest is dismissed.

F. H. Bailey, Jr.
for Harry R. Van Cleve
Acting General Counsel