

DECISION



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

FILE: B-216047

DATE: August 22, 1984

MATTER OF: Petro-Met, Inc.

DIGEST:

GAO will not review a contracting officer's finding that a small business concern is nonresponsible since the Small Business Administration has conclusive authority to determine the responsibility of small business concerns under its certificate of competency procedures.

Petro-Met, Inc. (Petro-Met), protests the contracting officer's negative determination of its responsibility under solicitation No. DLA500-84-B-0533 issued by the Defense Logistics Agency (DLA). Petro-Met contends that the contracting officer's decision was based upon an inaccurate preaward survey.

We dismiss the protest.

DLA has informally advised this Office that the contracting officer has referred the matter of Petro-Met's responsibility to the Small Business Administration (SBA). Under 15 U.S.C. § 637(b)(7) (1982), the SBA has conclusive authority to determine the responsibility of small business concerns by issuing or refusing to issue a certificate of competency. Therefore, this Office will not consider the propriety of the contracting officer's nonresponsibility determination since to do so would be tantamount to substituting our judgment for that of the agency specifically authorized by law to review such determinations. See Skyspares Parts, Inc., B-214163, Feb. 10, 1984, 84-1 C.P.D. ¶ 170.

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