



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Kyrokin Construction, Inc.

File: B-226238

Date: February 20, 1987

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### DIGEST

Where solicitation contains general licensing requirement, but does not require that successful bidder possess any specific license, contracting officer is free to make award without considering whether the bidder is licensed under state law.

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### DECISION

Kyrokin Construction, Inc. protests the award to Coliseum Construction of a construction project at the Veterans Administration Medical Center in Palo Alto, California under invitation for bids (IFB) No. 640-3-87. Kyrokin claims that Coliseum does not possess a valid California contractor's license and thus is not in compliance with the IFB's licensing requirement.

The IFB stated that the successful bidder would be responsible for obtaining necessary licenses, but did not require that the bidder possess any specific license. Where, as here, no specific license requirement is imposed, the contracting officer is free to make an award without regard to whether the bidder is actually licensed under state law. Cadillac Ambulance Service, Inc., B-220857, Nov. 1, 1985, 85-2 CPD ¶ 509. This is so because contracting officers generally are not competent to pass upon the question of whether a particular state license is legally required for the performance of federal work. Id. Compliance with a general licensing requirement is a matter to be resolved by the contractor and the state authorities. United Pacific Corp., B-221839, Apr. 19, 1986, 86-1 CPD ¶ 353.

Since the provision here does not require a specific license, the awardee's lack of a license at the time of contract award does not provide a legal basis to object to the award.

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Metropolitan Ambulance Service, Inc., B-213943, Jan. 9,  
1984, 84-1 CPD ¶ 61. The protest is therefore dismissed.

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