



The Comptroller General  
of the United States

Washington, D.C. 20548

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## Decision

Matter of: Pye & Hogan Machine Company

File: B-232554

Date: October 7, 1988

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### DIGEST

The granting of an additional extension to apply for a certificate of competency is a matter within the discretion of the contracting agency, with the government's interest in proceeding with the acquisition, not the offeror's interest in obtaining an extension, controlling.

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### DECISION

Pye & Hogan Machine Company protests the failure of the Defense Industrial Supply Center (DISC) to allow sufficient time for Pye & Hogan to complete its application for a certificate of competency (COC) in connection with solicitation No. DLA500-88-Q-0286 issued by DISC. Specifically, Pye & Hogan claims DISC acted unreasonably because of its refusal to grant an additional extension of the due date for Pye & Hogan's application for a COC determination by the Small Business Administration (SBA). Pye & Hogan claims that it was not given a proper opportunity to present its case.

Pye & Hogan received a "no award" recommendation on July 7, 1988 following a preaward survey of its facilities by the government. The DISC contracting officer determined that Pye & Hogan was not responsible on the basis of the preaward survey. The contracting officer notified Pye & Hogan of this determination on July 18, 1988, and also forwarded the matter to the SBA for consideration under the SBA's certificate of competency (COC) procedures. The SBA informed Pye & Hogan that its COC application was due on August 29, 1988. The deadline was extended to September 6, at the protester's request. Pye & Hogan requested a further extension because it claimed to need more time to prepare its application in light of the magnitude of the data required.

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It is the responsibility of the small business firm determined to be nonresponsible to file a timely, complete and acceptable COC application with the SBA. ESCO Air Filters, B-225552.2, Mar. 12, 1987, 87-1 CPD ¶ 279. Our Office will not review an agency's refusal to grant a filing extension for a COC since granting of an extension for filing or processing a COC application is a matter solely within the contracting agency's discretion. ESCO Air Filters, B-225552.2, supra. The government's interest in proceeding with the acquisition, not the offeror's interest in obtaining an extension, is the controlling factor. F. Rulison & Sons, Inc., B-230758, Apr. 18, 1988, 88-1 CPD ¶ 379.

The protest is dismissed.



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