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Comptroller General
of the United States
Washington, D.C. 20548

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Decision

Matter of: Business Equipment & Systems, Inc.
File: B-258459
Date: September 16, 1994

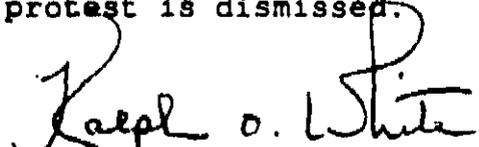
DECISION

Business Equipment & Systems, Inc. protests the selection of National Office Systems (NOS) as the successful vendor under request for quotations (RFQ) No. IRS-RFQ-94-20, issued by the Internal Revenue Service as a total small business set-aside for a storage system. We dismiss the protest because our Office has no jurisdiction to review business size determinations.

According to the protester, NOS plans to deliver a system purchased from White Storage and Retrieval Systems. The protester asserts that prior to the selection of NOS, the Small Business Administration (SBA) determined that White Storage is not a small business. The protester thus concludes that the selection of NOS under the RFQ, which was restricted to small business concerns, was improper.

The Small Business Act, 15 U.S.C. § 637(b)(6) (1988), gives the SBA conclusive authority to determine matters of small business size status for federal procurements. 4 C.F.R. § 21.3(m)(2) (1994); Survive Eng'g Co., B-235958, July 20, 1989, 89-2 CPD ¶ 71. Thus, we will not review a protester's challenge to another company's size status, nor will we review a decision by the SBA that a company is, or is not, a small business for purposes of conducting federal procurements. Survive Eng'g Co., B-235958, *supra*; Antenna Prods. Corp., B-227116.2, Mar. 23, 1988, 88-1 CPD ¶ 297. Here, since Business Equipment & Systems is essentially challenging NOS's eligibility to be selected as a vendor under the RFQ on the basis of the size status of that firm's subcontractor, we have no jurisdiction to review the matter.

The protest is dismissed.

for 
Christine S. Melody
Assistant General Counsel