

J. Thomas



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

Decision

Matter of: Blue Tee Corporation
File No.: B-258976
Date: November 16, 1994

DECISION

Blue Tee Corporation protests award of a contract to Mobile Drilling, Inc. by Reynolds Electric & Engineering Company, Inc. (REECO) under request for proposal No. 184-SJ-94. REECO is a prime contractor for the Department of Energy.

Blue Tee alleges that Mobile does not qualify as a small business because Mobile is a publicly held company. We dismiss the protest because our Office has no jurisdiction to review size determinations.

The Small Business Act, 15 U.S.C. § 637(b)(6) (1988), gives the Small Business Administration (SBA), not our Office, the conclusive authority to determine matters of small business size status for federal procurements. 4 C.F.R. § 21.9(m)(2); Service 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. Service Eng'g Co., supra; Antenna Prods. Corp., B-227116.2, Mar. 23, 1988, 88-1 CPD ¶ 297.

Accordingly, the protest is dismissed.


Ronald Berger
Associate General Counsel