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Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Sun Belt Builders, Inc.—Reconsideration

File: B-261320.2

Date: August 23, 1995

DECISION

Sun Belt Builders, Inc. requests reconsideration of our decision of May 11, 1995, dismissing its protest of the award of a contract by the Department of the Air Force under solicitation No. F00608-94-R-0042. Sun Belt Builders alleged that another offeror, H.J. Group Ventures, Inc., certified falsely that a determination had been made by the Small Business Administration (SBA) concerning H.J. Group Ventures's Small Disadvantaged Business (SDB) status. We dismissed Sun Belt Builders's protest because our Office has no jurisdiction to review size determinations or the stewardship of small disadvantaged business contracting programs. On reconsideration, Sun Belt Builders maintains the protest does not concern size or SDB status but instead relates to the issue of false certification.

A vendor who allegedly miscertifies its SDB status is subject to protest as to its proper status, which is determined by the SBA. Thus, if indeed H.J. Group Ventures falsely certified as to its SDB status, a proper protest would result in SBA's resolution of the matter.

To the extent that Sun Belt Builders suggests that the submission of such a false certification should nonetheless be considered by the contracting officer in determining award eligibility, such consideration would involve a matter of responsibility, which is based, in large measure, on discretionary judgments of contracting officials, such that affirmative determinations of a vendor's responsibility are generally not reviewed by this Office. See, e.g., Electro Design Mfg., Inc., B-234848, July 14, 1989, 89-2 CPD ¶ 50.

The request for reconsideration is denied.

Ronald Berger
Ronald Berger
Associate General Counsel

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