



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** The Royal Group, Inc.

**File:** B-270614.2

**Date:** November 30, 1995

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### DECISION

Royal Group, Inc. protests the award of a contract to KCA by the Department of the Army under invitation for bids No. DAKF40-95-B-0017. Royal contends that it was improperly denied a certificate of competency (COC) by the Small Business Administration (SBA).

We dismiss the protest because our Office generally does not consider challenges to SBA's failure to issue a COC.

The Small Business Act, 15 U.S.C. § 637(b)(7), gives the SBA, not our Office, the conclusive authority to review a contracting officer's determination that a small business is not responsible. We therefore do not review challenges to the SBA's decision not to issue a COC unless there is a showing that the COC denial resulted from possible bad faith or a failure to consider vital information because of how information was presented to, or withheld from, the SBA by the procuring agency. Section 21.5(b)(2), 60 Fed. Reg. 40,737, 40,742 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.5(b)(2)); Joanell Labs., Inc., B-242415.16, Mar. 5, 1993, 93-1 CPD ¶ 207. Such circumstances are not present here.

The protest is dismissed.

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