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DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

60674

FILE: B-185891

DATE: March 25, 1976

MATTER OF: World Contractors, Inc.

98451

DIGEST:

Conclusive authority to decide small business size status of bidder is vested by statute in SBA, and therefore protest involving size status of bidder is not for consideration by GAO.

World Contractors, Inc. protests an award to Jets Services, Inc. under invitation for bids (IFB) No. F01600-76-09098, a total small business set-aside, issued by Maxwell Air Force Base, Alabama. World Contractors contends that Jets Services is not a small business concern and alleges that World Contractors should have been awarded the contract as the next low bidder.

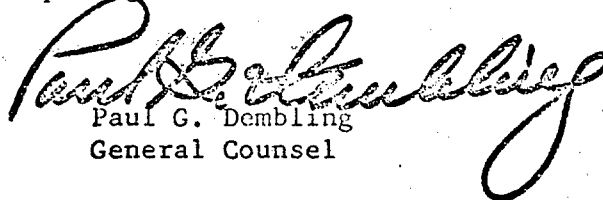
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When bids were opened on December 4, 1975, Jet Services was second low bidder and World Contractors was the third low bidder. Award was made to Jet Services effective February 1, 1976, and the protest thereafter was filed with this Office.

The issue raised by World Contractors questioning the small size status of Jets Services is not for consideration by this Office since conclusive authority over such questions is vested by statute in the Small Business Administration. Suburban Industrial Maintenance Company, B-181980, August 30, 1974, 74-2 CPD 135.

In view of the above, we are closing our file on the matter without further action.

In addition, we note that the protest was filed more than 2 months after the bid opening. However, under Armed Services Procurement Regulation 1-703(b)(1) (ASPR) (1975 ed.) any protest involving the small business size status of a bidder should be made in writing to the contracting officer not later than 5 working days after the bid opening date.

  
Paul G. Dembling  
General Counsel