

7406 M. Lunt

DECISION



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

FILE: B-192569

DATE: August 18, 1978

MATTER OF: Capital Communication Corporation

DIGEST:

GAO has no authority to direct contracting activity to withhold award pending appeal to SBA Size Appeals Board.

Capital Communication Corporation (Capital) protests award of a contract to any other bidder under invitation for bids (IFB) No. 10-0050-8, issued by Kennedy Space Center, National Aeronautics and Space Administration (NASA), for Horizontal Structure/Mechanical Cargo Integration Test Equipment. The IFB was designated a small business set-aside.

Capital has requested the Small Business Administration (SBA) Size Appeals Board to reconsider its decision of July 24, 1978, that Capital was not considered a small business for this NASA procurement. Capital requests our Office to direct NASA to withhold award until SBA has acted upon the request for reconsideration.

Size standard issues are within the province of SBA, and our Office has no authority to direct a contracting activity to withhold an award pending appeal to the SBA Size Appeals Board. E.I. Kane, Inc., B-187083, August 23, 1976, 76-2 CPD 183.

Accordingly, our Office must decline to consider the protest.

Paul G. Dembling
Paul G. Dembling
General Counsel