

DECISION



11993 *Eaton*
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548
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FILE: B-196645

DATE: November 14, 1979

MATTER OF: Gupta Carpet Professionals, Inc.

[Protest of SBA Actions Regarding Certificate of Competency]
DIGEST:

GAO will not review Small Business Adminis- *ABC00002*
tration decisions regarding responsibility
of bidders unless there is prima facie showing
of fraud or failure to consider vital infor-
mation. By law, SBA conclusively determines
matter by issuing or refusing to issue
Certificate of Competency.

DLG03154
Gupta Carpet Professionals, Inc. (Gupta), by letter
of October 1, 1979, protests the decision of the Small
Business Administration (SBA) with regard to a Certi-
ficate of Competency (COC) sought in connection with
solicitation No. GSD-WDPR-90004-A, issued by the General
Services Administration (GSA). *AGC000017*

We are informally advised by GSA that the SBA has
found Gupta capable of performing several items under
the protested solicitation; the agency intends to award
those items to the firm. As for SBA's negative deter-
minations as to the remainder of the items, by law,
the SBA conclusively determines all matters relating to
the responsibility of a small business by either issu-
ing or refusing to issue a COC. Our Office does not
review such determinations unless there is a prima facie
showing of fraud or failure to consider vital informa-
tion. See Gupta Carpet Professionals, Inc., B-196051,
October 25, 1979, 79-2 CPD ___, a decision on an identi-
cal protest by Gupta on GSA solicitation No. GSD-3DPR-
90003-A.

Gupta has not made such a showing in this case.
The protest therefore is dismissed.

Milton J. Socolar
Milton J. Socolar
General Counsel

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