

13865 *Milton*  
*Proc*

**DECISION**



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

FILE: B-198646

DATE: June 3, 1980

MATTER OF: International Computer Software,  
Inc.

DIGEST:

[Protest concerning small business size status of low bidder] is not for review by GAO, since by law such authority to conclusively determined size status is vested in Small Business Administration.

International Computer Software, Inc. (International) protests any award to Engineered System, Inc., the low bidder under invitation for bids (IFB) No. D/L 80-4, issued by the Department of Labor as a small business set-aside.

International contends that Engineered is not a "small business" and therefore is ineligible for award.

We will not consider the protest. Under 15 U.S.C. § 637(b) (6) (1976), the Small Business Administration is empowered to conclusively determine the small business size status of a bidder. Municipal & Industrial Pipe Services, Ltd., B-192398, July 31, 1978, 78-2 CPD 81; United States Certification Bureau, Inc., B-192564, August 18, 1978, 78-2 CPD 136. Consequently, we are unable to take any action on the protest.

The protest is dismissed.

*Harry R. Van Cleave*  
for Milton J. Socolar  
General Counsel

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