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DECISION



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

FILE: B-208387

DATE: September 8, 1982

MATTER OF: G&B Chemical Corporation

DIGEST:

GAO will not consider protest against contracting agency's determination of nonresponsibility where matter was referred to the Small Business Administration, which declined to issue a certificate of competency.

G&B Chemical Corporation (G&B), a small business, protests being found nonresponsible under invitation for bids (IFB) No. DAAA31-82-R-0014, issued by the Department of the Army (Army), McAlester Army Ammunition Plant, McAlester, Oklahoma, for compound for use as bomb tail pad. G&B argues that the Army's decision is improper because the contract activity awarded two previous contracts for the same material to the protester, which has met all contract requirements.

After determining G&B nonresponsible because of a negative preaward survey, the Army referred the question of G&B's nonresponsibility to the Small Business Administration (SBA) for the possible issuance of a certificate of competency (COC). SBA, however, declined to issue a COC, and the Army subsequently rejected G&B's low bid as nonresponsible.

SBA has authority under its COC procedures to issue final determinations on whether small business concerns are responsible to receive and perform specific contracts. 15 U.S.C. § 637(b)(7) (Supp. III, 1979). As a result, our Office has consistently declined to review a contracting agency's determination of nonresponsibility where the nonresponsibility has been affirmed by SBA's denial of a COC unless the protester makes a prima facie showing of fraud or the record indicates that vital information relevant to the protester's responsibility has not been considered. See Federal Services, Inc., B-205230, November 3, 1981, 81-2 CPD 381.

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Since neither of these exceptions is present here, we will not consider the protest.

Protest dismissed.

Harry R. Van Cleve
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Acting General Counsel