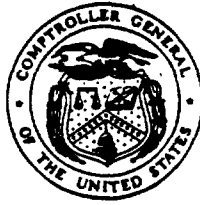


DECISION



26884
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-209704.4

DATE: November 21, 1983

MATTER OF: Sermor Inc.

DIGEST:

GAO will not review a contracting officer's determination that a small business concern is not responsible since the Small Business Administration is authorized by statute to certify conclusively the competency of a small business concern.

Sermor Inc. protests the award of any contract under solicitation No. DAAA09-82-B-5584 issued by the Department of the Army. The solicitation sought bids for smoke grenade launchers and accessories. Sermor argues that it submitted the lowest responsive bid and apparently contends that the contracting officer erroneously determined that the firm was not responsible.

We dismiss the protest.

Sermor alleges that the Army failed to seek certain information and took premature actions during the procurement in violation of procurement regulations and to the prejudice of the firm. Sermor does not, however, provide any specific information or example to support its general allegations, and thus we have no basis for considering the alleged failure to follow the regulations. Moreover, we note that Sermor protested here after the Small Business Administration (SBA) declined to issue Sermor a certificate of competency (COC). To the extent, therefore, that Sermor's contentions center on the earlier determination by the contracting officer that Sermor was not responsible, we point out that SBA, by law, has conclusive authority to certify the competency of any small business concern, 15 U.S.C. § 637(b) (1982), and thus the SBA's refusal to issue a COC to Sermor is final on the question of Sermor's responsibility. See Guida Clothing Co., Inc., B-210708, February 17, 1983, 83-1 CPD 173.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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