



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Ryba Marine Construction Company
File: B-257537
Date: June 13, 1994

DECISION

Ryba Marine Construction Company protests the award of a contract by the Department of the Army under solicitation No. DACW35-94-B-0033.

We dismiss the protest because our Office has no jurisdiction to review size determinations.

The Small Business Act, 15 U.S.C. § 637(b)(6) (1988), gives the Small Business Administration (SBA), not our Office, the conclusive authority to determine matters of small business size status for federal procurements. 4 C.F.R. § 21.3(m)(2); Survive Eng'g Co., B-235958, July 20, 1989, 89-2 CPD ¶ 71. Thus, we will not review a protester's challenge to another company's size status, nor will we review a decision by the SBA that a company is, or is not, a small business for purposes of conducting federal procurements. Survive Eng'g Co., B-235958, supra; Antenna Prods. Corp., B-227116.2, Mar. 23, 1988, 88-1 CPD ¶ 297.

Accordingly, the protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger
Associate General Counsel