

**DECISION**



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

417

*82-2 cpd 543*

**FILE:** B-209995

**DATE:** December 17, 1982

**MATTER OF:** Midwest Janitorial Services, Inc.

**DIGEST:**

Protest concerning the small business size status of competing bidder is by law a matter for decision by the Small Business Administration and not for consideration by GAO.

Midwest Janitorial Services, Inc. (Midwest), protests consideration by the General Services Administration (GSA) of a bid submitted by Universal Building Maintenance, Inc. (Universal), in response to GSA solicitation No. GS-05B-42327, a small business set-aside, for janitorial services. Midwest contends that Universal is not a small business and is therefore not qualified to bid. We dismiss the protest.

Under 15 U.S.C. § 637(b)(6) ~~X~~ (1976), the Small Business Administration has exclusive authority to determine matters of small business size status for Federal procurement purposes. Therefore, our Office will not review questions of a bidder's small business size status, which are for review by SBA. ATE Associates, Inc., B-208622, ~~X~~ September 15, 1982, 82-2 CPD 229.

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