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DECISION



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

FILE: B-198967

DATE: June 10, 1980

MATTER OF: Advance Building Maintenance Co.
4783

DIGEST:

[Protest concerning small business size status of low bidder is by law matter for decision by Small Business Administration and not for consideration by GAO.]

Advance Building Maintenance Co. (ABM) protests the possible award of a contract to Unified Services, Inc. (USI), for janitorial services under invitation for bids (IFB) No. 11C00222 issued as a small business set-aside by the General Services Administration (GSA). ABM contends that USI, the apparent low bidder, does not qualify as a small business. -4784

2 - This Office does not review size status protests. Under 15 U.S.C. § 637(b) (1976), it is the Small Business Administration (SBA) which is empowered to conclusively determine matters of small business size status for Federal procurement and sales purposes. Lu-San Enterprises, Inc., B-195369, July 31, 1979, 79-2 CPD 68. Under the applicable regulations a protest of the size status of another bidder is to be sent, in a timely manner, to the contracting officer responsible for the procurement, who in turn is to promptly forward it to the SBA district office which serves the geographical area where the protested concern is located. Federal Procurement Regulations § 1-1.703.2 (1964 ed. amend. 192). ABM informs us that the matter has been referred to the contracting agency as required. The protest is dismissed.

for *Harvey R. Jan Cline*
Milton J. Socolar
General Counsel

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