

19.602-2 Issuing or denying a Certificate of Competency (COC).

Within 15 business days (or a longer period agreed to by the SBA and the *contracting* agency) after receiving a notice that a small business *concern* lacks certain elements of responsibility, the SBA Area Office will take the following actions:

(a) Inform the small business *concern* of the *contracting officer's* determination and *offer* it an opportunity to apply to the SBA for a COC. (A *concern* wishing to apply for a COC *should* notify the SBA Area Office serving the geographical area in which the headquarters of the *offeror* is located.)

(b) Upon timely receipt of a complete and acceptable application, elect to visit the applicant's facility to review its responsibility.

(1) The COC review process is not limited to the areas of nonresponsibility cited by the *contracting officer*.

(2) The SBA *may*, at its discretion, independently evaluate the COC applicant for all elements of responsibility, but *may* presume responsibility exists as to elements other than those cited as deficient.

(c) Consider denying a COC for reasons of nonresponsibility not originally cited by the *contracting officer*.

(d) When the Area Director determines that a COC is warranted (for contracts valued at \$25,000,000 or less), notify the *contracting officer* and provide the following *options*:

(1) Accept the Area Director's decision to issue a COC and award the contract to the *concern*. The COC issuance letter will then be sent, including as an attachment a detailed rationale for the decision; or

(2) Ask the Area Director to suspend the case for one or more of the following purposes:

(i) To permit the SBA to forward a detailed rationale for the decision to the *contracting officer* for review within a specified period of time.

(ii) To afford the *contracting officer* the opportunity to meet with the Area Office to review all documentation contained in the case file and to attempt to resolve any issues.

(iii) To submit any information to the SBA Area Office that the *contracting officer* believes the SBA did not consider (at which time, the SBA Area Office will establish a new suspense date mutually agreeable to the *contracting officer* and the SBA).

(iv) To permit resolution of an appeal by the *contracting* agency to SBA Headquarters under [19.602-3](#). However, there is no *contracting officer's* appeal when the Area Office proposes to issue a COC valued at \$100,000 or less.

(e) At the completion of the process, notify the *concern* and the *contracting officer* that the COC is denied or is being issued.

(f) Refer recommendations for issuing a COC on contracts greater than \$25,000,000 to SBA Headquarters.

Parent topic: [19.602 Procedures.](#)