

**United States Small Business Administration  
Office of Hearings and Appeals**

VSBC Protest of:

MicroTechnologies LLC,

Protestor,

Re: Zetta Solutions, LLC

Solicitation No. 36C10B23R0011

U.S. Department of Veterans Affairs

SBA No. VSBC-319-P

Decided: November 28, 2023

**ORDER DISMISSING PROTEST**<sup>1</sup>

On November 6, 2023, MicroTechnologies LLC (Protestor) filed the above-captioned protest, alleging that Zetta Solutions, LLC (Zetta) is not a proper Service-Disabled Veteran-Owned Small Business (SDVOSB) joint venture. The Contracting Officer (CO) forwarded the protest to the U.S. Small Business Administration (SBA) Office of Hearings and Appeals (OHA).

On November 20, 2023, OHA ordered Protestor to show cause, no later than November 27, 2023, why the protest should not be dismissed for lack of specificity. OHA explained that, under applicable regulations, a proper SDVOSB status protest must include “[s]pecific allegations supported by credible evidence that the [challenged] concern (or joint venture) does not meet the VOSB or SDVOSB eligibility requirements listed in [13 C.F.R.] part 128.” (Order at 1, quoting 13 C.F.R. § 134.1005(a)(2).) A nonspecific protest will be dismissed. (*Id.*, citing 13 C.F.R. § 134.1007(b).)

OHA noted that the challenged concern, Zetta, is a joint venture between GigaTECH, LLC and its SBA-approved mentor, Sierra7, Inc. (*Id.*) Although Protestor questioned whether Zetta is an eligible SDVOSB joint venture, Protestor did not contend that GigaTECH, LLC, the protégé member of the joint venture, is not an SDVOSB. (*Id.*) Nor did Protestor advance any reason to believe that Zetta is non-compliant with SDVOSB joint venture requirements set forth in 13 C.F.R. part 128. (*Id.*) Protestor did not respond to OHA's Order.

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<sup>1</sup> This protest is decided under the Small Business Act of 1958, 15 U.S.C. §§ 631 *et seq.*, and 13 C.F.R. parts 128 and 134 subpart J.

By failing to respond to OHA's Order to Show Cause, Protestor essentially concedes that its protest was nonspecific. *E.g.*, *VSBC Protest of Terrestris LLC*, SBA No. VSBC-269-P (2023). Furthermore, a party's failure to comply with an OHA order may, by itself, be grounds for dismissal. 13 C.F.R. § 134.219.

For these reasons, the protest is DISMISSED. This is the final decision of the U.S. Small Business Administration. 13 C.F.R. § 134.1007(b).

KENNETH M. HYDE  
Administrative Judge