

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN  
COMPETITION – Heavy Equipment Operator Training

1. Agency. Department of Veterans Affairs (VA), National Cemetery Administration, Contracting Service.
2. Nature and/or description of the action being approved. NCA intends to award a contract to Caterpillar Incorporated for Heavy Equipment Operator Training. NCA Contracting Service intends to negotiate a sole source contract with Caterpillar Incorporated under the authority of FAR 6.302-1 for a one time contract award of these training services.
3. A description of the supplies or service required to meet the agency's need (including the estimated value). This action is for the sole source acquisition of the training services for NCA Heavy Equipment Operators. The value of this requirement is \$43,090.00.

Caterpillar Edwards Demonstration and Learning Center (EDLC) – Edwards, IL provides Heavy Equipment Operator Training (EOT) for several Local, State and Federal Government Agencies throughout the United States. Listed below are the attributes EDLC provides to the National Cemetery Administration (NCA).

- a. EDLC is the only vendor that provides a custom EOT Program package designed for cemetery operations and cemetery equipment. This is a critical element of the program. All other vendors provide a standard EOT Program package designed for General Industry specializing in heavy construction equipment only.
- b. EDLC is the only vendor that provides Dump Truck Safety operator training as part of the EOT Program package. This is a critical element of the program.
- c. EDLC is located within a few minutes of a VA Medical Facility allowing NCA employees the opportunity to seek medical treatment through the Employee Health Physician for any illness or injury while at the training facility. This is a critical element of the program.
- d. EDLC is the only vendor that provides a Virtual Training Systems (VTS) as part of the training package. VTS includes several personal simulators as part of the training curriculum. VTS equipment is state-of-the-art technology to meet the growing need to provide qualified operators to the workforce. VTS is designed to train and orient an entry-level operator on basic machine operation, skills and application knowledge. VTS is designed to improve operating efficiencies of experience operators. VTS is designed to provide instant feedback to

the operator to show where improvement is needed. This is a critical element of the program.

- e. EDLC is the only vendor that provides an AccuGrade Backhoe Loader Site Reference System (ABLSRS) as part of the training package. ABLSRS equipment is state-of-the-art technology designed to provide the operator with bucket positioning, ability to dig a defined grade, set desired grade and slope, reads simple measurements, reads straight line distances and reads slope between points. A few benefits of the ABLSRS technology are: Reduces surveying cost, reduces man-hours, eliminates additional ground guide staff and improve digging proficiency. This is a critical element of the program.
- f. EDLC includes lodging for the attendees as part of the tuition cost. Lodging cost is provided at the Government Rate (GR) or at less than the GR.
- g. EDLC provides meals at the training facility as part of the tuition cost. Meal cost is provided at the GR or at less than the GR. Most of the attendees travel via airplane and are not authorized travel funds for local transportation (rental cars) and do not have transportation to dining establishments near the training facility. Benefits for meals provided at the training facility are: Allows the attendees to spend more time at the training facility on EOT saving the Government time and funds. Allows attendees to spend more time eating meals by not having to search the local area for dining establishments.
- h. EDLC provides transportation as part of the tuition cost. Transportation is provided for attendees while attending the EOT Program. Travel funds for local transportation (rental cars) are not authorized for attendees. Hotel and other shuttle services in other areas of the U.S. are usually very limited. In most circumstances, there is only one (1) vehicle available for attendees to use for transportation to/from the airport, to/from dining establishments throughout the city and to/from other local activities. Attendees are normally required to share the local shuttle service with other hotel guest. This situation causes time delays and an undue burden/stress to the attendees. If local transportation is not provided, attendee's personal safety could be at risk if they are required to walk to/from dining establishments near local hotels.
- i. NCA greatly benefits from EDLC conclusive EOT Program package which includes tuition, meals, lodging and transportation. A few of these benefits are: Gives the opportunity for attendees to spend more time bonding with each other for a more effective method of team building. Gives the attendees more opportunity to interact and develop a network of equipment operators to share the lessons learned concept. Gives the

training provider effective negotiating tools with meal providers to control the quality of meals (other than fast food), variety of meals and quantity of meals provided at a lower cost to the Government. This solution reduces the amount of stress the attendees experience in deciding where to eat, when to eat, what to eat and how to get to a place to eat. This concept provides for a better overall environment for the attendee's personal safety and well being.

4. An identification of the statutory authority permitting other than full and open competition. 10 U.S.C. 2304(c)(1), FAR Subpart 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements."
5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited. Caterpillar Edward Demonstration and Learning Center is the only vendor that provides a custom Heavy Equipment Operator Training to meet the needs of cemetery operations and cemetery equipment. Due to the nature of the different types of the training, any delays in obtaining this Training service will not be recovered through competition, therefore, sole source procurement is appropriate.
6. A description of efforts made to ensure that offers are solicited from as many potential sources as practicable, including whether a notice was or will be publicized as required by FAR Subpart 5.2 and, if not, which exception under FAR Subpart 5.202 applies. A special notice (VA786-14-I-0112) was posted on [www.fbo.gov](http://www.fbo.gov) inviting responsible parties to submit a capability statement for consideration by the government. Zero (0) responses were received.
7. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable. The contracting officer has determined the price to be fair and reasonable per previous pricing for this type of service.
8. A description of the market research conducted (see Part 10) and the results or a statement addressing why market research was not conducted. I have contacted the previous Contracting Officer and the NCA Safety Officer that are knowledgeable regarding this requirement and have been informed only Caterpillar EDLC has the unique capabilities to meet the agency requirement. Additionally, a special notice was posted on [www.fbo.gov](http://www.fbo.gov) inviting responsible parties to submit a capability statement for consideration by the government. Zero (0) responses were received.
9. Any other facts supporting the use of other than full and open competition, such as: The services of Caterpillar Incorporated have been successful in meeting the needs of NCA in the past. They have proven to be reliable and have tailored their service to meet the needs of NCA. There are no comparable businesses available to NCA for similar training needs.

10. A listing of the sources, if any, that expressed in writing, an interest in the acquisition. Not applicable.

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required. At the present time there are no known barriers to competition for subsequent acquisition of the services described herein.

12. Contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief. I hereby certify that this request for Justification and Approval of other than Full and Open competition is made in good faith, that the supporting data and information are accurate and complete to the best of my knowledge and belief, and that I would not be making this request if it were feasible to fully compete this requirement. I further certify that this request is not the result of lack of advance planning or desire to expend funds while those funds are still available.



David J. Dixon  
Contracting Officer  
March 10, 2014

Approval/Disapproval



3/20/14

Roberto Joshua  
Chief, NCA Contracting Service