



Department of  
Veterans Affairs

# Memorandum

Date: July 2, 2015

From: Foreman, Chattanooga National Cemetery

Subj: "Justification for Other than Full and Open Competition"

To: Contracting Officer Centralized Contracting Division (786/41D3A)

1. In accordance with Federal Acquisition Regulation (FAR) Parts 13.501(Special Documentation Requirements for Sole Source Acquisitions) and 6.303-2, the following justification is furnished for use of other than full and open competition:

(a) Requesting activity: Department of Veterans Affairs, Chattanooga National Cemetery, 1200 Bailey Ave Chattanooga TN 37404

(b) Nature and/or description of action being requested: This procurement action is being requested to utilize other than full and open competition for the sole-source contract award to Nichols Fleet Equipment for the design and fabrication of a Prototype Crane bed with outriggers and MaxiLift 180.3 Crane for a Toro Workman HDX-D.

(c) Description of Services: Contractor shall (i) Furnish supplies, parts and labor to fabricate ladder style frame with 4 mounted outriggers and Maxilift 180.3 crane to be fitted to Cemetery supplied Toro Workman HDX-D.

(d) Recommended source: Nichols Fleet Equipment, 2401 E 31<sup>st</sup> St Chattanooga TN 37404 423-622-7528

(e) Total estimated value of procurement: \$ 17,135.00 (See CAATS 8355000019).

(f) Statutory Authority: In accordance with FAR Subpart 6.3, and under the authority of 41 U.S.C. 253(c), full and open competition has not been provided based on the following exception:

☒ 6.302-1 - Only one responsible source and no other supplies or services will satisfy agency requirements.

☐ 6.302-2 - Emergency: Unusual & compelling urgency.

(h) Other Facts Supporting Other Than Full & Open Competition: This is a prototype frame and device built custom for the Chattanooga National Cemetery. Nichols Fleet Equipment is the only vendor locally capable of building this piece of equipment as they design and adapt this type of crane for other types vehicles on a daily basis, they are the national dealer and importer for the crane type specified and they are within 3 miles of the Cemetery allowing for delivery of the Workman for fitting of the bed and mounts. Nichols Fleet is also the only vendor of this type local to the Cemetery registered in the System for Award Management (SAM) System.

(i) Listing of Sources, if any, that expressed, in writing, an interest in the acquisition: None.

(j) Statement of Actions to remove or overcome any barriers to competition: No further action is recommended at this time.

2. For technical questions regarding this justification, please contact the undersigned at



William L. Catoe  
Maintenance and Operations Foreman, Chattanooga National Cemetery

A description of efforts made to ensure that offers are solicited from as many potential sources as practicable and description of the market research conducted:

I spent almost 2 years working on a design for this machine and contacting several companies to inquire about products and capabilities. The design is based on pictures of a machine I found that appears to have been built in South America (M130-3 Picture). I contacted the company with the pictures and was not able to obtain good information due to the language barrier. I have researched many different kinds of cranes and determined that a power telescoping crane with power slew is the only crane that will fit the size requirement of the vehicle and give us the operational abilities and safety that we need. To make this work it needs to be attached to a Toro Workman HDX-D which is the primary vehicle we use in operations. It will require stabilizers for safety and the ability to use a load limiter to prevent tip overs.

I contacted [REDACTED] I determined that that product wouldn't work as it was limited on side lift and restricted to 7 ft of reach as well as max capacity of 800lbs which would not fit our needs.

I also looked at the [REDACTED] which is a similar design and idea as to what we wanted but is a self-propelled trailer. The cost is \$26,200 (\$9,000 more than current PO) and the company is not registered in SAM's and was not interested in registering. Also their crane didn't have the capacity we need to lift lids and the trailer was too heavy (2800) to tow behind our workman(max 1500 tow).

I also contacted the company that makes the [REDACTED] and they did not have a dealer near us to work on fitting a bed. But they were willing to sell us the crane(re :crane quote request). However we would still have fabricate and mount a bed to handle it all. Also note that their quotes do not include shipping or importing fees. They are also a foreign company and not registered in SAMS.

I also had discussions with [REDACTED] about adapting their bed and outriggers to mount the frame [REDACTED]. They were initially interested in building a frame (see email) but after further discussions over the phone we decided it was better to use the maxilift outriggers(specified in current PO) as they would work with the crane's load limiter to prevent tip overs and [REDACTED] bed and outriggers would not.

I contacted one other local company [REDACTED] that seems to have the ability and is a dealer for FASSI cranes in early 2014 and did not get a favorable response as to their interest(they said they were interested but never followed up or responded to call back). Their SAMS registration has also expired and is inactive currently.

Nichols Fleet was the only vendor that I could get a complete package out of. They sell and service the crane locally, they can fabricate the bed and outriggers needed, and they can continue to service and adjust the bed as needed until we get the product we are after. They also have a current SAMS registration.

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.

 P-20-15

David J. Dixon  
Contracting Officer

*Proprietary quotations, technical data and drawings have been redacted by the Contracting Officer per FAR 6.305(e)*