

JUSTIFICATION REVIEW DOCUMENT

Description of Acquisition: Modification to extend contract HDEC02-06-D-0014 to provide for the uninterrupted delivery of Fresh Fruits and Vegetables to 34 commissary locations assigned to the Defense Commissary Agency.

Statutory Authority: 10 U.S.C. 2304(c)(1)

Original Amount: \$11,123,084.64
Total Amount: \$15,108,856.55

Prepared by: Sarah E. Saunders
Telephone: (804) 734-8000, ext 4-8899

Contracting Officer
Date: March 13, 2012

PCO: Sheila S. Norfus
Telephone: (804) 734-8000, ext 4-8889

Contracting Officer
Date: March 13, 2012

Requirements: Bridget A. Bennett
Telephone: (804) 734-8000, ext 4-8446

Commissary Management Specialist
Date: March 13, 2012

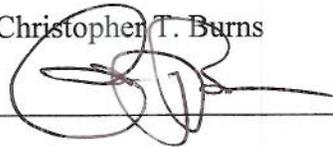
Signatures are required below:

Director of Sales: Christopher T. Burns

Telephone: (804) 734-8000, 4-8278

Signature: _____

Date: _____



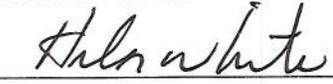
16 March 2012

Legal Counsel: Helen J. White

Telephone: (804) 734-8000, 4-8116

Signature: _____

Date: _____



20 March 2012

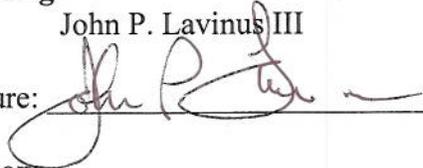
Chief of Contracting Office

John P. Lavinus III

Telephone (804) 734-8000, 4-8547

Signature: _____

Date: _____



20 March 2012

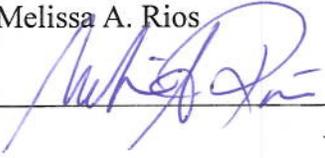
DeCA Competition Advocate

Melissa A. Rios

Telephone: (804) 734-8000, 4-8680

Signature: _____

Date: _____



3/21/12

**JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION**

1. **Contracting Office:** Defense Commissary Agency (DeCA), Resale Contracting Directorate (MPR), Fort Lee, Virginia 23801-1800.
2. **Type of Contract Action:** Modification of contract HDEC02-06-D-0014 with Military Produce Group, LLC for an additional 43 days of contract performance. The contract modification will extend the period of performance from its current expiration date of March 31, 2012 to May 13, 2012. Contract Number HDEC02-06-D-0014 was previously extended for 120 days, from December 1, 2011 to March 31, 2012, on J&A HDEC02-12-05 at a total estimated contract amount of \$11,123,084.64. The contract type is requirements. Funding is provided by the Resale Stock Fund Activity of the Defense Working Capital Fund (DWCF).
3. **Description of Supplies/Services:** This action will provide for uninterrupted delivery of a full line of USDA certified fresh fruits and vegetables for resale in 34 commissary stores assigned to the Defense Commissary Agency (DeCA) located in Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Puerto Rico. The total amount of the contract modification action is estimated at \$1,205,000.81 for 43 additional days of contract performance. The estimated total dollar value of the modification is based on the estimated quantities of High Volume Core Items (HVCI) that are expected to be delivered to the 34 commissary store locations over a 43-day timeframe between April 1, 2012 and May 13, 2012. The estimated cost is calculated as follows: $\$2,780,771.16 \text{ per month} / 30 \text{ days} = \$92,692.37 \text{ per day}$. $\$92,692.37 \text{ per day} \times 43 \text{ days} = \$3,985,771.91$. Total J&A value: 43 day cost $\$3,985,771.91$ + original J&A cost $\$11,123,084.64 = \$15,108,856.55$ estimated total cost.
4. **Authority Cited:** 10 U.S.C. 2304(c)(1), in accordance with FAR 6.302-1(a)(2)(ii), only one responsible source and no other supplies and services will satisfy Agency requirements.
5. **Reason for Authority Cited:** Contract Number HDEC02-06-D-0014 was scheduled to expire on November 30, 2011. Contract performance was extended under J&A Control No. HDEC02-12-05 for an additional four month period to March 31, 2012. Projected contract award date was February 29, 2012 with an expected performance start date of April 1, 2012. Due to the complexity of this requirement and a change in key personnel, the final evaluation process was delayed and is expected to be finalized no later than April 13, 2012. An additional 43 day extension is required to complete the procurement process, to include Source Selection Authority review and decision, contract review board convening, briefing the DeCA Director, SBA coordination (if necessary), Congressional notification, and providing a sufficient transition period between contracts. The award of the follow-on contract is anticipated by April 13, 2012, with a performance start date of May 13, 2012.

In the absence of a contract extension, delivery of fresh fruit and vegetable products would cease in the stores utilizing this contract. The Agency would suffer lost sales and reduced operating funds, which in turn would negatively impact the Agency mission to provide a benefit to military members and their families. It would not be feasible to re-compete the requirement for a 43 day period due to the length of the evaluation period, the 30 day transitional period and associated start-up costs a new contractor would incur. As such, a 43 day extension to the current contract is a reasonable course of action for this requirement.

The incumbent contractor, Military Produce Group, LLC (MPG), has an operational contractor-owned web ordering system and can guarantee just in time deliveries of a full line of USDA certified fresh fruits and vegetables. Based on past performance information provided by the stores covered under this contract, MPG has been performing this contract successfully. MPG is the only known source that can provide the required fresh fruits and vegetables for this extension period.

- 6. **Efforts to Obtain Competition:** No Changes from Initial J&A.
- 7. **Fair and Reasonable Cost Determination and Contracting Officer Certification:** No changes from initial J&A.
- 8. **Market Research:** No changes from initial J&A.
- 9. **Other Factors:** No changes from initial J&A.
- 10. **Interested Sources:** No changes from initial J&A.
- 11. **Action to Increase/Foster Competition:** No change from initial J&A.

Commissaries under contract HDEC02-06-D-0014

1. Little Rock AFB, AR	13. Ft. Rucker, AL	25. Arnold AFB, TN
2. Ft. McPherson, GA	14. Jacksonville NAS, FL	26. Barksdale AFB, LA
3. Ft. Stewart, GA	15. Key West NAS, FL	27. Ft. Polk, LA
4. Kings Bay NSB, FL	16. MacDill AFB, FL	28. Pensacola NAS, FL
5. Mayport NS, FL	17. Patrick AFB, FL	29. Columbus AFB, MS
6. Camp Merrill, GA	18. New Orleans NAS, LA	30. Gulfport NCBC, MS
7. Moody AFB, GA	19. Tyndall AFB, FL	31. Keesler AFB, MS
8. Robins AFB, GA	20. Whiting Field NAS, FL	32. Meridian NAS, MS
9. Memphis NAS, TN	21. Hurlburt AFB, FL	33. Hunter AAF, GA
10. Gunter AFB, AL	22. Albany MC, GA	34. Ft. Buchanan, Puerto Rico
11. Maxwell AFB, AL	23. Ft. Benning, GA	
12. Redstone Arsenal, AL	24. Eglin AFB, GA	

Technical/Requirements Certification:

I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

Name: Christopher T. Burns

Director of Sales Directorate

Signature: 

Date: 16 March 2012

Fair and Reasonable Price Determination and Contracting Officer Certification:

I hereby determine that the prices for these contract actions are fair and reasonable. I certify that this J & A is accurate and complete to the best of my knowledge and belief.

Name: Sarah E. Saunders

Contracting Officer

Signature: Sarah E Saunders

Date: 16 Mar 12

APPROVAL

Based on the abovementioned justification, I hereby approved the procurement of the continuation of deliveries of fresh fruits and vegetables to 34 commissaries covered under contract HDEC02-06-D-0014 for a 43-day extension until May 13, 2012, on an other than full and open competition basis pursuant to the authority of 10 U.S.C. 2304(3)(1), provided funds are available, or will be available, and provided that the products herein described have otherwise been authorized for acquisition.

APPROVED:

Signature: 

Date: 3/30/12

Joseph H. Jeu
Head of the Contracting Activity
Director and Chief Executive Officer
Defense Commissary Agency