

**JUSTIFICATION REVIEW DOCUMENT**

**Description of Acquisition:** Modification to extend contract HDEC02-06-D-0004 with Diamond Head Seafood to provide for uninterrupted operation of seafood market operations at Hickam AFB, Kaneohe Bay, Pearl Harbor NB, and Schofield Barracks, Hawaii.

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

Est. Amount: \$858,422.07 +  
Amended value of \$572,281.38  
= \$1,430,703.45

**Prepared by:** Ellen M. Robinson  
Telephone (804) 734-8000, 48939

Contract Specialist  
Date: February 23, 2012

**PCO:** Phyllis A. McGowan  
Telephone (804) 734-8000, 48900

Contracting Officer  
Date: February 23, 2012

**Technical/ Requirements:** Leslie Simpson  
Telephone (804) 734-8000, 48446

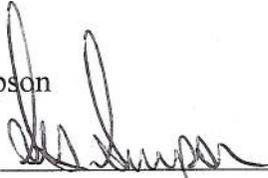
Commissary Management Specialist  
Date: February 23, 2012

**Signatures are required below:**

**Reviews:** I have reviewed the J&A and find that justification is adequate to support other than full and open competition.

**Program Manager:** Leslie Simpson

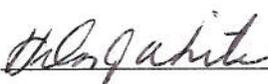
Telephone: (804) 734-8000, 48446

Signature: 

Date: 2-23-2012

**Legal Counsel:** Helen J. White

Telephone: (804) 734-8000, 48116

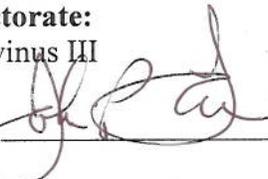
Signature: 

Date: 2-23-2012

**Chief, Resale Contracting Directorate:**

John P. Lavinus III

Telephone: (804) 734-8000, 48547

Signature: 

Date: 2-23-2012

**DeCA Competition Advocate**

Melissa A. Rios

Telephone: (804) 734-8000, 48680

Signature: 

Date: 2/24/12

## JUSTIFICATION AND APPROVAL

### FOR OTHER THAN FULL AND OPEN COMPETITION

**1. Contracting Office:** Defense Commissary Agency (DeCA), Resale Contracting Directorate, (MPR), Fort Lee, Virginia

**2. Type of Contract Action:** Modification of contract HDEC02-06-D-0004 with Diamond Head Seafood. This modification will extend the period of performance for the current J & A from its expiration of February 29, 2012, to April 30, 2012, a 2 months extension. The contract type is a requirements type. The Resale Stock Fund Activity, Defense-Wide Working Capital Fund, provides funding.

**3. Description of Supplies/Services:** This action will provide uninterrupted operation of seafood markets at Hickam AFB, Kaneohe Bay, Pearl Harbor NB, and Schofield Barracks, Hawaii commissaries. The total estimated value for this Amendment, including the previous extension period and the additional 2 months extension is \$1,430,703.45.

**4. Authority Cited:** 10 U.S.C. 2304(c)(1), in accordance with FAR 6.302-1, only one responsible source and no other supplies or services will satisfy Agency requirements.

**5. Reason for Authority Cited:** Contract HDEC02-06-D-0004 was scheduled to expire on November 30, 2011. Due to long term shortages of resources within the division to handle the work load compounded by two protests on other procurements, the solicitation, HDEC02-10-R-0012 was issued July 28, 2011, to accommodate the follow-on procurement. After the release of the solicitation it became necessary to extend the closing date from August 31, 2011, to September 8, 2011, to address questions by offerors regarding the requirement items specifications and to change the language in the solicitation to clarify the items specifications. The first J & A extended this contract from the previous end date of November 30, 2011, to the end date of February 29, 2012, with an anticipated award for the follow-on procurement on January 15, 2012, and a start date for performance on March 1, 2012. However, this procurement was further delayed, as a result of questions arising in the proposal evaluation process, making it necessary to conduct discussions. An extension of this contract is now crucial to ensure continuation of the services provided under the contract. Therefore, the previous J & A is amended to include an additional extension of 2 months for this contract. Anticipated award for the follow-on procurement is April 1, 2012, with the start date for performance on May 1, 2012.

In the absence of a contract extension, seafood market operations will cease in the stores utilizing this contract. Inevitable and irrevocable damages to the Agency in the form of sales lost and reduced operating funds will negatively impact the Agency mission to provide a benefit to military members and their families. The commissary benefit is a cornerstone of the military quality of life. Therefore, it is essential that DeCA provides fully operational commissary stores, to include the seafood market operations, and that DeCA takes appropriate action to maintain the current source of those operations.

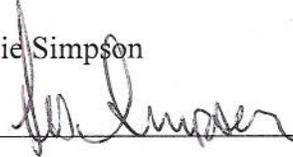
Diamond Head Seafood has been performing this contract successfully since 2006. Based on the past performance information provided by the stores covered by this contract, Diamond Head is providing the products and services required by the contract. Diamond Head Seafood is the only known source that is available to operate the seafood markets in these commissary stores for this extension period.

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

**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.

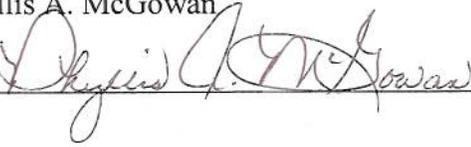
Name: Leslie Simpson Commissary Management Specialist

Signature:  Date: 2-23-2012

**Fair and Reasonable Cost Determination and Contracting Officer Certification:**

I hereby determine that the anticipated cost for this contract action will be fair and reasonable. I certify that this J&A is accurate and complete to the best of my knowledge and belief.

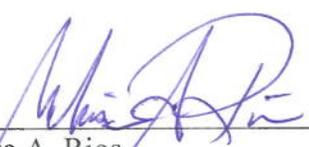
Name: Phyllis A. McGowan Contracting Officer

Signature:  Date: 2/23/2012

**APPROVAL**

Based on the foregoing justification, I hereby approve the procurement of the continuation of services of seafood market operations for the 4 commissaries covered under contract HDEC02-06-D-0004 for a 2 months extension, March 1, 2012, through April 30, 2012, on an other than full and open competition basis pursuant to the authority of 10 U.S.C. 2304(c) (1), provided funds are available, or will be available, and provided that the services and property herein described have otherwise been authorized for acquisition.

APPROVED:

Signature:  Date: 2/24/12  
Melissa A. Rios  
DeCA Competition Advocate