

AMENDMENT TO JUSTIFICATION REVIEW DOCUMENT

Description of Acquisition: Modification to extend contract DECA02-03-D-0010 with Northeast Military Sales, Inc. (NEMS) to provide for uninterrupted operation of deli/bakery operations in commissaries at Fort Meade, MD; Forest Glen (formerly Walter Reed AMC), MD; Fort Myer, VA; Aberdeen PG, MD; Fort Detrick, MD; Annapolis, MD; New London NS, CT; Newport NETC, RI; Hanscom AFB, MA and Bangor ANGB, ME.

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

Est. Amount: \$1,619,512.00 +
Amended value of \$1,818,902.00
= \$3,438,414.00 + \$1,222,838
= \$4,661,252.00 + \$1,222,838 =
\$5,884,090

Prepared by: Nancy Patterson Matherne
Telephone (804) 734-8000, 48908

Contract Specialist
Date: June 15, 2012

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

Contracting Officer
Date: June 15, 2012

Technical/ Requirements Dave Leffert
Telephone (804) 734-8000, 48566

Commissary Management Specialist
Date: June 15, 2012

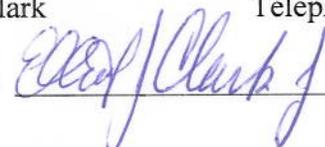
Signatures are required below:

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

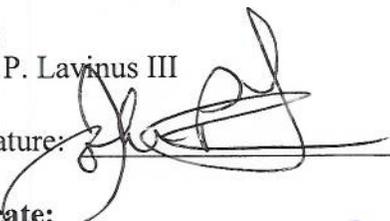
Program Manager: Dave Leffert Telephone: (804) 734-8000, 48566

Signature:  Date: June 18, '12

Legal Counsel: Elliot J. Clark Telephone: (804) 734-8000, 48116

Signature:  Date: 19 June 2012

Chief, Resale Contracting Directorate: John P. Lavinus III Telephone: (804) 734-8000, 48547

Signature:  Date: 25 June 2012

DeCA Competition Advocate: Melissa A. Rios Telephone: (804) 734-8000, 48680

Signature:  Date: 6/20/12

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

1. Contracting Office: Resale Contracting Directorate, (MPR), Defense Commissary Agency (DeCA), located at 1300 E. Avenue, Fort Lee, Virginia 23801-1800.

2. Type of Contract Action: Contract modification action to extend the performance period of contract DECA02-03-D-0010 with Northeast Military Sales, Inc. (NEMS) for an additional 2 months from July 1, 2012, through August 31, 2012. The contract type is a requirements contract. 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 uninterrupted operation of deli-bakeries in commissaries at Fort Meade, Forest Glen (formerly Walter Reed), Fort Myer, Aberdeen Proving Ground, Fort Detrick, Annapolis NS, New London NS, Newport NETC, Hanscom AFB, and Bangor ANGB. The estimated total value of the additional two month extension is \$1,222,838, which increases the value of this J&A to \$5,884,090.

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 DECA02-03-D-0010 is scheduled to expire on June 30, 2012. Anticipated award date for the follow-on procurement has been delayed due to the Contracting Officer's unexpected diversion related to unforeseen complications on other contract awards. The anticipated award date is extended to August 1, 2012, with a performance start date of September 1, 2012.

In the absence of a contract extension, the deli-bakery operations will cease in the stores utilizing this contract, which will result in irrevocable damages to the Agency in the form of lost sales and reduced operating funds. The commissary benefit is a cornerstone of the military quality of live. Therefore it is essential that DeCA provides fully operational commissary stores, to include the deli bakery operations.

Northeast Military Sales, Inc. is successfully performing this contract and, as the incumbent contractor, NEMS already has the existing infrastructure in place to continue the necessary deli-bakery operations. Given the average 30 day transitional period necessary for a new contractor to be prepared to begin performance, it is not possible to award this requirement to another contractor during 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 the initial J & A.

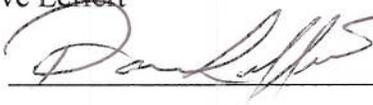
9. **Other Factors:** No changes from the initial J & A.

10. **Interested Sources:** No changes from the original J & A.

11. **Action to Increase/Foster Competition:** No changes from the original J & A.

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.

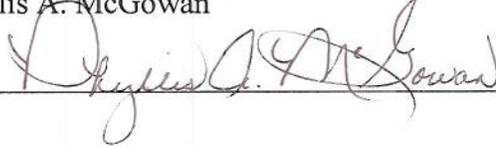
Name: Dave Leffert Commissary Management Specialist

Signature:  Date: June 18, '12

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: 6/15/2012

APPROVAL

Based on the foregoing justification, I hereby approve the procurement of the continuation of services of deli/bakery operations for the ten commissaries covered under contract DECA02-03-D-0011 for an extension of 62 days covering the period of July 1, 2012, through August 31, 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: 6/26/12
Melissa A. Rios
Competition Advocate