

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; Walter Reed AMC, MD; Fort Myer, VA; Aberdeen PG, MD; Fort Detrick, 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

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

Contract Specialist
Date: April 10, 2012

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

Contracting Officer
Date: April 11, 2012

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

Commissary Management Specialist
Date: April 11, 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.

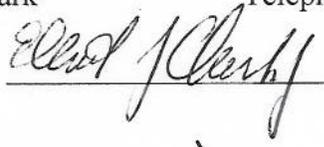
Program Manager: Dave Leffert

Telephone: (804) 734-8000, 48566

Signature:  Date: April 11, '12

Legal Counsel: Elliot J. Clark

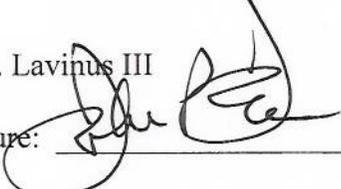
Telephone: (804) 734-8000, 48116

Signature:  Date: April 13, 2012

Chief, Resale Contracting

Directorate: John P. Lavinus III

Telephone: (804) 734-8000, 48547

Signature:  Date: 23 APR 2012

DeCA Competition Advocate:

Melissa A. Rios

Telephone: (804) 734-8000, 48680

Signature:  Date: 4/25/12

Approved For Time Line

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 May 1, 2012, to June 30, 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 \$4,661,252.

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 April 30, 2012. Anticipated award date for the follow-on procurement has been delayed due to additional problems encountered with re-convening the Technical Evaluation Team for additional past performance evaluation, which in turn delayed the Decision Authority and other higher level reviews. The new anticipated award date was extended to May 31, 2012, with a performance start date of July 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 life. 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 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.

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.

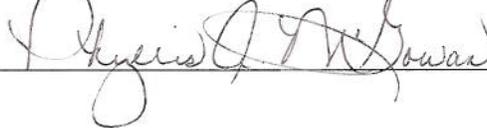
Name: Dave Leffert Commissary Management Specialist

Signature:  Date: April 11, 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: 4/11/2012

APPROVAL

Based on the foregoing justification, I hereby approve the procurement of the continuation of services of deli/bakery operations for the nine commissaries covered under contract DECA02-03-D-0011 for an extension of 61 day extension, May 1, 2012, through June 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: 4/25/12
Melissa A. Rios
Competition Advocate