HDEC02-12-24
Amendment 0001

JUSTIFICATION REVIEW DOCUMENT

Description of Acquisition: Modification to extend contract DECA02-03-D-0011 with Northeast Military Sales, Inc. (NEMS) to provide for uninterrupted operation of deli/bakery operations at Patuxent River NAS, MD; Bolling AFB, Washington, DC; Dover AFB, DE; Andrews AFB, MD; Fort Belvoir, VA; and Quantico MCCB, VA commissaries.

Statutory Authority: 10 U.S.C. 2304(c)(1) Est. Amount: $1,320,527.48
Est. Amended Amount: $1,320,527.48
Total: $2,641,054.96

Prepared by:	Amy A. Williams Telephone (804) 734-8000, 48408	Contract Specialist Date: February 28, 2012
PCO:	Phyllis A. McGowan Telephone (804) 734-8000, 48900	Contracting Officer Date: February 28, 2012
Technical: Requirements	Dave Leffert Telephone (804) 734-8000, 48566	Commissary Management Specialist Date: February 28, 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: Feb 28, '12

Legal Counsel: Helen J. White Telephone: (804) 734-8000, 48116
Signature: _____ Date: 2-28-12

Chief, Resale Contracting Directorate John P. Lavinus III Telephone: (804) 734-8000, 48547
Signature: _____ Date: 2-29-2012

DeCA Competition Advocate Melissa A. Rios Telephone: (804) 734-8000, 48680
Signature: _____ Date: 2/29/12

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

2. Type of Contract Action: Modification of contract DECA02-03-D-0011 with Northeast Military Sales, Inc. (NEMS). The modification will extend the period of performance for an additional 60 days from April 1, 2012, to May 31, 2012, a 2-month extension. The contract type is a requirements type. Funding is provided by the Resale Stock Fund Activity, Defense-Wide Working Capital Fund (DWCF).

3. Description of Supplies/Services: This action will provide uninterrupted operation of deli-bakeries at Patuxent River NAS, MD; Bolling AFB, Washington, DC; Dover AFB, DE; Andrews AFB, MD; Fort Belvoir, VA; and Quantico MCCB, VA commissaries. The estimated value of the additional 2-month period is $1,320,527.48, which increases the total value of the initial J&A from $1,320,527.48 to $2,641,054.96.

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 DECA02-03-D-0011 is scheduled to expire on March 31, 2012. The anticipated award date for the follow-on procurement has been delayed due to issues surrounding the reconvening of the Technical Evaluation Team for the evaluation of the offerors' proposals following discussion letters for another follow-on procurement for DECA02-03-D-0010. As a result, the new anticipated award date for the follow-on procurement for DECA02-03-D-0010 is March 30, 2012, with a performance start date of May 1, 2012.

Limited resources for Technical Evaluation Teams result in members having to serve on multiple teams. An extension of DECA02-03-D-0011 is crucial to ensure continuation of the services provided under the contract. The new anticipated award date for the follow-on procurement is April 30, 2012, with a performance start date of June 1, 2012.

In the absence of a contract extension, deli/bakery 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 deli/bakery operations, and that DeCA takes appropriate action to maintain the current source of those operations.

Northeast Military Sales, Inc. has been performing this contract successfully for the past 8 years. Based on the past performance information provided by the stores covered by this contract, NEMS is providing the products and services required by the contract. NEMS is the only known

source that is available to operate the deli/bakeries in these commissary stores for this extension period. 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 start performance, it is not possible to award this requirement to another contractor 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 Changes 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: Feb 28, 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: 2/28/2012

APPROVAL

Based on the foregoing justification, I hereby approve the procurement of the continuation of services of deli/bakery operations for the 6 commissaries covered under contract DECA02-03-D-0011 for a 2-month extension, April 1, 2012, through May 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: 2/29/12

Melissa A. Rios
Competition Advocate