

**JUSTIFICATION REVIEW DOCUMENT**

**Description of Acquisition:** Modification to extend contract DECA02-02-D-0012, with Byrne Dairy Inc, to provide uninterrupted dairy products to the grocery departments for 3 New York store locations in the East Area of the Defense Commissary Agency.

**Statutory Authority:** 10 U.S.C. 2304(c)(1) **Original Estimated Amount:** \$7,355,548.00  
**New Estimated Total Amount:** \$7,410,189.00

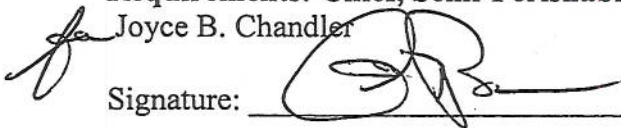
**Prepared by:** Diane V. Moore  
Telephone: (804) 734-8000, ext 4-8922  
**Contract Specialist**  
Date: October 4, 2012


**CO:** Trista P. Robinson  
Telephone: (804) 734-8000, ext 4-8892  
**Contracting Officer**  
Date: October 4, 2012

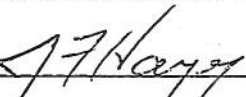
**PCO:** Sheila S. Norfus  
Telephone: (804) 734-8000, ext 4-8889  
**Contracting Officer**  
Date: October 4, 2012

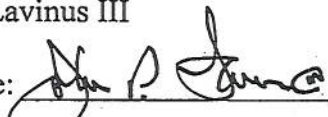
**Signatures are required below:**

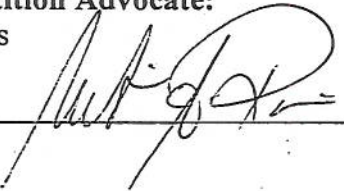
**Requirements: Chief, Semi-Perishable/Perishable Divisions**

Joyce B. Chandler Telephone: (804) 734-8000, 4-8238  
Signature:  Date: 10/23/12

Director of Sales: Christopher T. Burns Telephone: (804) 734-8000, 4-8278  
Signature:  Date: 10/23/12

Assistant General Counsel: James F. Hayes Telephone: (804) 734-8000, 8-6189  
Signature:  Date: 10/24/12

Director, Resale Contracting Directorate:  
John P. Lavinus III Telephone (804) 734-8000, 4-8547  
Signature:  Date: 23 Oct 2012

DeCA Competition Advocate:  
Melissa A. Rios Telephone: (804) 734-8000, 4-8680  
Signature:  Date: 10/25/12

**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 DECA02-02-D-0012 with Byrne Dairy Inc. The proposed modification will extend the period of performance 1 month from its current expiration date of October 31, 2012 to November 30, 2012. 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 dairy products to the grocery departments in 3 New York store locations within the East Area of the Defense Commissary Agency. The proposed 1 month modification would increase the estimated contract value by \$54,641.00 for a new total estimated contract amount of \$7,410,189.00, and extend the contract performance period until November 30, 2012. The estimated contract extension amounts were derived by using the contract obligation information by month, multiplied by the appropriate number of months in the period of performance, to equal the total extension amount. The projected award date is October 31, 2012 with a performance start date of December 1, 2012, which would provide the awarded contractor a 30-day transition period.
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, DECA02-02-D-0012, was scheduled to expire on June 2, 2012. Contract performance was extended under J & A Control Number, HDEC02-12-49, for a period of five months to October 31, 2012. The acquisition was projected to be completed within the revised milestones prepared. However, some time was lost due to repetitive editing of the Source Selection Decision Document (SSDD). As such, the solicitation, HDEC02-11-R-0003 and the resulting contract awards for the Northeastern stores in the East Area will be awarded on October 31, 2012. Additional time is required for the transition of contracts which normally permits a ramp up period of 30 days prior to contract performance for the new contract awardee.

Byrne Dairy Inc. has been performing this contract successfully for the past 11 years. Based on the performance information provided by the stores covered under this contract, Byrne Dairy Inc. is proving products required by the contract. They are the only known source that is available to service these commissary stores for this extension period.

6. **Efforts to Obtain Competition:** No change from original J & A.
7. **Fair and Reasonable Price Determination and Contracting Officer Certification:**  
No change from original J & A.
8. **Market Research:** No change from original J & A.
9. **Other Factors:** No change from original J & A.
10. **Interested Sources:** No change from original J & A.
11. **Action to Increase/Foster Competition:** No change from original J & A.
12. **Commissary location covered under contract DECA02-02-D-0012:**

Fort Drum, New York  
West Point, New York  
Saratoga Springs, New York

**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: \_\_\_\_\_

10/23/12

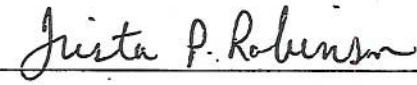
**Fair and Reasonable Price Determination and Contracting Officer Certification:**

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: Trista P. Robinson

Contracting Officer

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

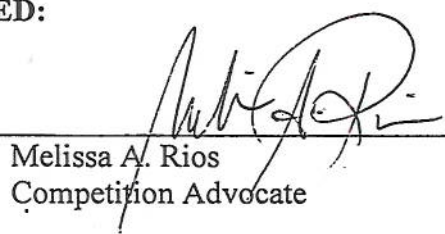
23 Oct 2012

**APPROVAL**

Based on the above mentioned justification, I hereby approve the one month extension from October 31, 2012 until November 30, 2012, for the continuation of deliveries of dairy products for 3 New York store locations covered under contract DECA02-02-D-0012, 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 products herein described have otherwise been authorized for acquisition.

**APPROVED:**

Signature: \_\_\_\_\_



Melissa A. Rios  
Competition Advocate

Date: \_\_\_\_\_

10/25/12