

JUSTIFICATION REVIEW DOCUMENT

**Description of Acquisition:** Modification to extend the period of performance for contract HDEC02-09-D-0004, with Luberski dba Hidden Villa Ranch, to provide uninterrupted egg products to the grocery departments for thirty (30) stores in the West Area of the Defense Commissary Agency.

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

**Original Amount:** \$34,469,263.00  
**J & A Amount:** \$2,725,574.00  
**New Total Amount:** \$37,194,837.00

**Performance Period:** July 6, 2014 to March 28, 2015

**Prepared by:** Irma Weaver  
Telephone: (804) 734-8000, ext. 8-6120

**Contract Specialist**  
Date/Initials: 6/30/14 JW

**Technical/ Requirement:** Steven Villeneuve  
Telephone: (804) 734-8000, ext 4-8495

**CMS/Program Manager**  
Date/Initials: 27/6/14 SW

**PCO:** Trista P. Robinson  
Telephone: (804) 734-8000, ext 4-8892

**Contracting Officer**  
Date/Initials: 6/27/14 JPR

**Signatures are required below:**

**Director of Sales:** Randall L. Chandler Telephone: (804) 734-8000, 4-8505

Signature: R Chandler Date: 6/27/2014

**Assistant General Counsel:** Helen J. White Telephone: (804) 734-8000, 4-8207

Signature: James Hayes Date: 6/27/14

**Acting Chief, Resale Contracting Division:** Sheila S. Norfus Telephone (804) 734-8000, 4-8889

Signature: Sheila Norfus Date: 7/1/14

**DeCA Competition Advocate:** Ernie A. Favale Telephone: (804) 734-8000, 4-8548

Signature: Ernie Favale Date: 6/27/14

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

1. **Contracting Office:** Defense Commissary Agency (DeCA), Resale Contracting Division, 1300 E. Avenue, Fort Lee, Virginia 23801-1800.
2. **Type of Contract Action:** Modification of contract HDEC02-09-D-0004 with Luberski dba Hidden Villa Ranch. The proposed modification will extend the period of performance for an additional nine (9) months from July 6, 2014 – March 28, 2015. The contract type is a requirements type. The Resale Stock Fund Activity, Defense-Wide working Capital Fund, provides funding.

**Description of Supplies/Services:** This action will provide an uninterrupted supply of egg products to the grocery departments in the thirty (30) store locations within the West Area of the Defense Commissary Agency. The proposed nine (9) month modification would increase the estimated contract value by \$2,725,574.00 for a new total estimated contract amount of \$37,194,837.00 and extend the contract performance until March 28, 2015. The estimated contract extension amount was derived from a SAVES Adhoc Report for contract obligation information by month, multiplied by nine months to equal the total extension amount.

3. **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.

4. **Reason for Authority Cited:**

Contract Number HDEC02-09-D-0004 was scheduled to expire on January 4, 2014. The contract includes clause 52.217-4500, Option to Extend Contract Delivery (Aug 2004) that allows the Government the option to extend the contract an additional six-months. This option was exercised and the contract performance period was extended until July 5, 2014. Due to a shortage of resources, the egg contract re-solicitation was delayed to complete other priority solicitations, such as fresh fruit and vegetables and meat program buys, and other priority deadlines. This extension was implemented to allow continued support to the commissary stores in the West Area while the requirements were finalized to begin the acquisition process.

Market research has been completed. Acquisition planning, pre-solicitation documentation, draft solicitation, internal reviews, and issuance of the solicitation are projected to be completed by August 21, 2014. Technical evaluations, discussions if required, Source Selection Authority (SSA) process, source selection decision, internal reviews and executive briefings and contract award is projected to occur by January 14, 2015. Post contract award documentation, and a sixty day ramp up time for the resultant contract awardee is projected to occur by March 28, 2015.

Luberski has been performing this contract successfully for the past five years and six months, and based on the past performance information provided by the stores covered under this contract, is providing products as required by the contract. They are the only source available that has the necessary infrastructure already established to service these commissary stores for this extension period.

5. **Efforts to Obtain Competition:** Sources from the previous acquisition history, google searches, the Small Business Administration Dynamic Search Database, FPDS-NG, as well as a sources-sought notice published to FedBizOpps, were and will be used to conduct market research for the follow-on requirement. A pre-solicitation notice will also be published to state the government's intention to procure egg products for the three West Area commissaries under the subject contract. The solicitation is projected to be issued on a full and open competitive basis. This justification and approval (J&A) will be made available for public inspection, after the completion of the contract modification, in accordance with FAR 6.305.
6. **Fair and Reasonable Price Determination and Contracting Officer Certification:** The Contracting Officer (KO) has determined that the anticipated cost to the Government for the nine (9) month contract extension will be fair and reasonable based on the indication that the prices under the current contract are in accordance with the contract requirements. The contractor has agreed to maintain the current pricing during the extension period.
7. **Market Research:** As stated above, market research was conducted as stated in item 5 and it was determined that no other firms could meet the requirement (product assortment) in the time specified or at a price comparable or lower than the incumbent contractor during the extended time frame required.
8. **Other Factors:** Not applicable.
9. **Interested Sources:** Luberski is the only known source that is capable of providing all of the requirements, has the necessary logistics in place to provide the required deliveries, and with no increase in price.
10. **Action to Increase/Foster Competition:** The follow-on acquisition will be re-solicited on a full and open competition basis and it is anticipated that all future acquisitions will be competed on a full and open basis.
11. **Locations covered under contract HDEC02-09-D-0004:**

- |                  |                  |                    |
|------------------|------------------|--------------------|
| 1. Beale         | 11. Vandenberg   | 21. North Island   |
| 2. McClellan     | 12. Port Hueneme | 22. Miramar        |
| 3. Travis        | 13. Nellis       | 23. Imperial Beach |
| 4. Ord Community | 14. Fort Irwin   | 24. San Diego      |
| 5. Moffett Field | 15. Edwards      | 25. El Centro      |
| 6. Lemoore       | 16. Barstow      | 26. Luke           |

- |                   |                      |                         |
|-------------------|----------------------|-------------------------|
| 7. Fallon         | 17. Twentynine Palms | 27. Yuma                |
| 8. Hunter-Liggett | 18. Los Angeles      | 28. Yuma Proving Ground |
| 9. March          | 19. Camp Pendleton   | 29. Davis-Monthan       |
| 10. China Lake    | 20. San Onofre       | 30. Fort Huachuca       |

**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.

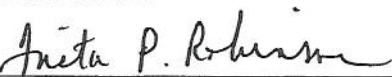
Name: Steven Villeneuve  
CMS/Program Manager

Signature:   
Date: 6/27/14

**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: 6/27/14

**APPROVAL**

Based on the above mentioned justification, I hereby approve the nine (9) month extension from July 6, 2014 until March 28, 2015, for the continued delivery of egg products for 30 West Area store locations covered under contract HDEC02-09-D-0004. This J&A is approved 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:   
Ernie A. Favale  
Acting, Competition Advocate

Date: 6/27/14