

JUSTIFICATION REVIEW DOCUMENT

Description of Acquisition: Modification to extend the period of performance for contract HDEC02-09-D-0010, with Lakeside Foods Inc. to provide uninterrupted egg products to the grocery departments for fourteen (14) stores in the East Area of the Defense Commissary Agency.

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

Original Amount: \$6,899,780.00
J & A Amount: \$1,574,400.00
New Total Amount: \$8,487,180.00

Performance Period: January 18, 2015 to January 16, 2016

Prepared by: Teresa Roberts
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Contract Specialist
Date/Initials: 1/12/2015/TAR

Technical/ Requirement: Steven Villeneuve
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CMS/Program Manager
Date/Initials: 1/13/15 SV

PCO: Trista P. Robinson
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Contracting Officer
Date/Initials: 1-12-2015/TPR

Signatures are required below:

Director of Sales: Tracie L. Russ Telephone: (804) 734-8000, 4-8855

Signature: RUSS.TRACIE.L.1109982578 Date: 1/13/2015

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

Signature: WHITE.HELEN.J.1142584880 Date: 1/12/2015

Director, Resale Contracting Division: Richard A. Deiter Telephone (804) 734-8000, 4-8932

Signature: DEITER.RICHARD.A.1255225614 Date: 01/12/2015

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

Signature: FAVALE.ERNIE.A.1182175699 Date: 1/13/2015

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

1. **Contracting Office:** Defense Commissary Agency (DeCA), Resale Contracting Directorate (LEAR), Fort Lee, Virginia 23801-1800.
2. **Type of Contract Action:** Modification of contract HDEC02-09-D-0010 with Lakeside Foods Inc. The proposed modification will extend the period of performance twelve (12) months from January 18, 2015 to January 16, 2016. 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 egg products to the grocery departments in the fourteen (14) store locations within the East Area of the Defense Commissary Agency. The proposed twelve (12) month modification would increase the estimated contract value by \$1,574,400.00 for a new total estimated contract amount of \$8,487,180.00 and extend the contract performance period until January 16, 2016.
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 HDEC02-09-D-0010 expires on January 17, 2015. Only the incumbent contractor can provide full, uninterrupted service to the commissaries until the new award is in place. The Agency incurred significant delays in completing the follow-on acquisition due to the completion of other priority solicitations. The additional twelve month extension is needed to allow sufficient time to issue the solicitation, complete the technical evaluation, perform Agency level contract reviews, conduct senior management briefings/approvals, and to allow for a sixty-day startup period for the contract awardee(s). The projected award date October 31, 2015 and the performance start date is January 17, 2016.

In the absence of a contract extension, commissaries covered under this contract will be without egg products and the service members serviced by these commissaries will be denied their full commissary benefit provided to them by statute under 10 USC §2481 and 10 USC §2484. The commissary benefit is the cornerstone of the military quality of life and it is essential that DeCA provides a fully operational commissary. Loss of these products would negatively impact DeCA's mission to provide for the military and their families.

Lakeside Food has been performing this contract successfully providing products that conform to the contractual requirements and terms and conditions. They have the

systems in place to continue uninterrupted service. Lakeside Food is the only source available that has the necessary infrastructure established to provide uninterrupted service in accordance with federal, state and agency requirements to the DeCA commissaries for this extension period.

6. **Efforts to Obtain Competition:** This amended justification will be made available for public inspection, after the completion of the contract modification, in accordance with FAR 6.305. A pre-solicitation notice was published on the FedBizOpps website in April 2014 identifying the government's intention to procure egg products for fourteen (14) East Area commissaries covered under the subject contract.
7. **Fair and Reasonable Price Determination and Contracting Officer Certification:** The Contracting Officer (KO) has determined that the anticipated cost to the Government for the twelve (12) month contract extension will be fair and reasonable based on an 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.
8. **Market Research:** Market research did not reveal any contractors having the ability to facilitate the successful and expeditious execution of the products and services required via this modification. Due to the complex nature of the procurement it is unreasonable to expect that anyone other than the incumbent will be able to effectively start-up and perform the requirements in a timely manner due to the anticipated delay in notice of a new award.
9. **Other Factors:** Not Applicable.
10. **Interested Sources:** Lakeside Foods is the only known source that is capable of providing the requirements and has the necessary infrastructure in place to provide the required delivery.
11. **Action to Increase/Foster Competition:** The follow-on acquisition will be 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.
12. **Commissary locations covered under contract HDEC02-09-D-0010:**
 1. Arnold, TN
 2. Barksdale, LA
 3. Columbus, MS
 4. Ft. Polk, LA
 5. Ft. Rucker, AL
 6. Gulfport, MS
 7. Gunter, AL
 8. Keesler, MS
 9. Little Rock, AR
 10. Maxwell, AL
 11. Memphis, TN
 12. Meridian, MS
 13. New Orleans, LA
 14. Redstone Arsenal, AL

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: VILLENEUVE STEVEN P.1228782730
Date: 1/13/15

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: ROBINSON,TRISTA.P.1249765208
Date: 1-12-2015

APPROVAL

Based on the above mentioned justification, I hereby approve the twelve (12) month extension from January 18, 2015 until January 16, 2016, for the continuation of egg deliveries for fourteen (14) East Area store locations covered under contract HDEC02-09-D-0010. 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: FAVALE.ERNIE.A.1182175699
Ernie A. Favale
Acting, Competition Advocate

Date: 1/13/2015