

JUSTIFICATION REVIEW DOCUMENT

Description of Acquisition: Modification to extend the period of performance for contract HDEC02-09-D-0006, with Nest Best Egg Co., to provide uninterrupted egg products to the grocery departments for eleven (11) commissaries in the West Area of the Defense Commissary Agency.

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

Original Amount: \$11,912,502.00  
J & A Amount: \$ 1,271,734.00  
New Total Amount: \$13,184,236.00

Performance Period: July 13, 2014 – March 28, 2015

Prepared by: Savicsa Robinson  
Telephone: (804) 734-8000, ext. 8-6143

Contract Specialist  
Date/Initials: 6/26/14 SLB

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

CMS/Program Manager  
Date/Initials: 6/27/14 SV

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: <sup>James Hayes</sup> ~~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 S. Norfus Date: 7/1/14

Acting, 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-0006 with Nest Best Egg Co. The proposed modification will extend the period of performance for an additional nine (9) months from July 13, 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 uninterrupted egg products to the grocery departments in the eleven (11) store locations within the West Area of the defense Commissary Agency. The proposed nine (9) month modification would increase the estimated contract value by \$1,271,734.00 for a new total estimated contract amount of \$13,184,236.00, and extend the contract performance period until March 28, 2015. The estimated contract extension amount was derived from a SAVES Adhoc Report for the contract obligation information by month, multiplied by eight 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 HDEC02-09-D-0006 was scheduled to expire on January 1, 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 12, 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.

Nest Best Egg Co. has been performing this contract successfully for the past five years and six months. Based on the past performance information provided by the stores covered under this contract, Nest Best Egg Co. is providing products as required by the contract. Nest Best Co. is 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 eleven (11) 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 comparison of prices in the commercial markets located in Washington and Alaska and 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:** Nest Best Co. 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 has been 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. **Commissary locations covered under contract HDEC02-09-D-0006:**
  1. Bangor NSB, WA
  2. Bremerton NS, WA
  3. Fort Lewis, WA
  4. McChord AFB, WA
  5. Whidbey Island, WA

6. Smokey Point, WA
7. Anchorage, AK
8. Eielson AFB, AK
9. Fort Greeley, AK
10. Fort Wainwright, AK
11. Kodiak, AK

**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.

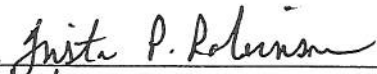
Name: Steven Villeneuve  
CMS/Program Manager

Signature:   
Date: 27 June 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 13, 2014 until March 28, 2015, for the continued delivery of egg products for 11 West Area store locations covered under contract HDEC02-09-D-0006. 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