JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

HHS ENTERPRISE POLITICO SUBSCRIPTION BPA

Prepared in accordance with Revolutionary Federal Acquisition Regulation (RFO FAR) 12.102(b) and 6.104-1 for a direct commercial Blanket Purchase Agreement under RFO FAR Part 12

June 2026

Identification of the agency and contracting activity.

Requiring Activity / Program Office:
Assistant Secretary for Financial Resources (ASFR)
Office of the Secretary (OS)
Department of Health and Human Services (HHS)
200 Independence Avenue, S.W.
Washington, D.C. 20201

Contracting Activity:
Office of Mission Acquisition Solutions (OMAS)
Office of Acquisitions (OA)
Assistant Secretary for Financial Resources (ASFR)
Department of Health and Human Services (HHS)

The nature and/or description of the action being approved.

The Department of Health and Human Services (HHS) plans to establish a single-award, direct Blanket Purchase Agreement (BPA) with POLITICO for annual subscriptions to POLITICO Pro Federal, POLITICO Pro U.S., E&E News, and AgencyIQ in support of Department-wide legislative, regulatory, appropriations, oversight, and stakeholder-engagement requirements. The BPA will have a single five-year term from June 30, 2026 through June 29, 2031. Although the BPA itself will have a single five-year period of performance, individual funded orders placed against the BPA may reflect annual subscription periods, including a base year and up to four one-year option periods, as appropriate, because the licenses are annual subscriptions and funding will be obligated at the order level by participating HHS Divisions.

A description of the supplies or services required to meet the agency's needs.

The proposed acquisition is for direct commercial subscription access to the POLITICO environment requested by HHS, including POLITICO Pro Federal, POLITICO Pro U.S., E&E News, and AgencyIQ, together with auditable contractor-performed enterprise license-management and administration support. The requirement supports recurring HHS mission needs such as monitoring Centers for Medicare & Medicaid Services rulemaking and reimbursement policy, Food and Drug Administration regulatory and enforcement developments, drug-pricing legislation, public health emergency authorities, Labor-HHS appropriations, congressional oversight, and state Medicaid and public health policy developments.

The June 22, 2026 final license register reflects annual base estimates of 261 subscriptions in the base period and 264 to 265 subscriptions in later periods, plus separate Department-wide additional planning quantities. The register also reflects that the National Institutes of Health and the Centers for Medicare & Medicaid Services use the June 30, 2026 enterprise date, while the Office of Inspector General transitions on September 22, 2026. The refreshed independent government cost estimate midpoint is $3,984,023.29, and the selected mixed POLITICO Pro Federal / POLITICO

Pro U.S. benchmark reflected in the updated market research quote/Independent Government Cost Estimate (IGCE) is approximately $3,829,123.28.

Identification of Authority and demonstration of contractor's unique qualifications.

a. Authority:

In accordance with Revolutionary Federal Acquisition Regulation Overhaul (RFO FAR) 12.102(b), because the contemplated value exceeds the simplified acquisition threshold but does not exceed $9 million, and because the Government is restricting competition through the use of a brand-name description without allowing equal products, this justification is prepared pursuant to 41 U.S.C. 1901, with approval in accordance with RFO FAR 6.104. The contemplated acquisition is a direct, commercial, single-award Blanket Purchase Agreement with POLITICO under RFO FAR Part 12.

b. The proposed requirement is to acquire direct enterprise subscriptions and related contractor-performed enterprise license-management support for the following commercial products: POLITICO Pro Federal, POLITICO Pro U.S., E&E News, and AgencyIQ. The requirement is not for a generic “or equal” policy-intelligence service; it is for the validated POLITICO subscription environment reflected in HHS historical usage, Division data-call responses, and the final enterprise register.

c. Only POLITICO will satisfy the agency's requirement. POLITICO's technical-capabilities and mission-support materials describe a single integrated environment that combines proprietary policy journalism produced by more than 300 reporters, editors, and analysts across 22 federal and state policy areas with Legislative Compass, Regulatory Compass, appropriations monitoring, congressional hearing transcripts, daily updated directories, document libraries, alerts, workflow tools, and citation-based report-building capabilities. POLITICO further represented that no alternative provider combines original policy journalism with legislative, regulatory, transcript, and directory tools within a single integrated workflow. In addition, POLITICO does not utilize authorized resellers for this requirement. Accordingly, no other source can provide the same integrated brand-specific environment required by HHS under a direct enterprise agreement.

A description of efforts made to ensure that offers are solicited from as many potential sources as possible, including whether a notice was or will be publicized as required by part 5 and, if not, which exception under part 5 applies.

HHS sought competition to the maximum extent practicable through market research appropriate to the circumstances. Those efforts included review of historical HHS POLITICO buying patterns, Division data-call validations, technical capability materials, mission-support materials, and current enterprise pricing. Because the requirement is brand-specific and direct with POLITICO, because POLITICO does not provide authorized reseller channels for this requirement, and because an equal product would not satisfy the validated minimum need, HHS did not solicit quotes from non-equivalent vendors. No separate sources-sought notice was issued. The Contracting Officer will address any applicable publicizing requirement, or document any applicable exception under RFO FAR Part 5, in the contract file prior to award.

A listing of the sources, if any, that expressed an interest in the acquisition in writing.

One outside company expressed written interest in the POLITICO requirement. On February 26, 2026, Brandon McDonnell of FiscalNote, with Dave Guide copied, emailed HHS Program Point of Contact, Ms. Maria Cassidy, and stated that CQ/PolicyNote could be a suitable replacement for POLITICO and could help reduce agency costs. FiscalNote also referenced a cancelled Centers for

Medicare & Medicaid Services requirement for 25 POLITICO Pro licenses and suggested those users could potentially be added to an enterprise agreement. The Government considered that outreach as an expression of interest; however, the Department advised that FiscalNote and POLITICO would be handled as separate acquisitions and that the POLITICO requirement was being handled differently. This expression of interest did not alter the Government's determination that the validated requirement is for the specific POLITICO brand environment rather than an "or equal" product.

A determination by the Contracting Officer that the BPA represents the best value.

The Contracting Officer will determine that establishment of a direct Blanket Purchase Agreement with POLITICO represents the best value to the Government and that the anticipated price is fair and reasonable. The IGCE and the updated POLITICO market research quote support that determination, including the mixed POLITICO Pro Federal / POLITICO Pro U.S. pricing structure selected by HHS, the substantial savings (~55-70%) as compared with historical HHS pricing and comparable corporate pricing, and the administrative efficiencies achieved through a single Department-wide vehicle with decentralized ordering.

A description of the market research conducted among potential sources.

Market research was conducted consistent with RFO FAR 10.001. HHS reviewed the June 22, 2026 final register, prior office-level validations, historical HHS POLITICO usage information, the updated POLITICO market research quote, POLITICO technical and mission-support materials, and the applicable RFO FAR Part 10 framework. In accordance with RFO FAR 10.001(d), HHS limited its quote request to POLITICO because this is a direct, brand-specific requirement, POLITICO does not utilize authorized resellers for this requirement, and an equal product would not satisfy the validated need for POLITICO's integrated content and workflow environment. HHS did not request additional quotes from non-equivalent vendors because doing so would not have provided information material to the acquisition decision and would have unnecessarily burdened industry.

A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

Before any future follow-on acquisition, HHS will reassess actual usage, mission requirements, commercial market developments, and whether broader competition has become practicable. HHS will also maintain the enterprise license register and order-level usage records so future acquisition planning can evaluate whether the Department's requirements remain brand-specific or whether competition may be feasible. In addition, as part of future market research and acquisition planning, HHS will ask POLITICO to disclose whether it has entered any authorized reseller arrangements, including any agreements with small business concerns, so the Government can evaluate whether reseller-based competition or small business participation has become available. At present, however, the validated minimum need remains the specific POLITICO subscription environment, and POLITICO does not utilize authorized resellers for this requirement.

Program Official:

I certify that the facts and representations under my cognizance, which are included in this justification, and which form a basis for this justification, are complete and accurate.

MARIA C. CASSIDY -S

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Date: 2026.06.22 23:05:00 -04'00'

Signature
Maria Cassidy
Office of Acquisitions Program Lead
Office of Acquisitions

Approval

Contracting Officer
I hereby certify that this justification is accurate and complete to the best of my knowledge and belief. I approve this justification subject to availability of funds, and provided that the supplies and services described herein have otherwise been authorized for acquisition.

Fair and Reasonable Price/Cost Determination: As Contracting Officer, by signature below, I hereby determine that the anticipated price/cost to the Government for this contract action will be fair and reasonable.

Keith R. Harding -S

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Keith R. Harding
Office of Mission Acquisition Solutions (OMAS)
Office of Acquisitions (OA)
Assistant Secretary for Financial Resources (ASFR)
Department of Health and Human Services (HHS)

CLINT R. DRUK -S

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Name of Competition Advocate
Competition Advocate