

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION
UPDATE – 8.31.2026**

Acquisition Title: Medicare Advantage (Part C)/Prescription Drug (Part D) Payment Policy

Public Comment Support

Agency: CMS/CM

Acquisition Year: 2026

Author: [REDACTED]

1. Description of Action:

Nature

☐ New Requirement

☐ Follow-On Order

☒ Modification of Existing Purchase Order/Contract Number 75FCMC25PJ020

Contract Type

☒ Firm-Fixed Price

☐ Time and Materials

☐ Cost Plus Fixed Fee (CPFF)

☐ Term

☐ Completion

☐ Cost Plus Award Fee (CPAF)

☐ Other: _____

Name of Proposed Contractor:

The Regulatory Group: DocketScope

1901 Fort Myer Dr #1120

Arlington, VA 22209

2. Description of Services or Supplies:

The Regulatory Group (TRG) is a small business consulting firm specializing in the Federal regulatory process. DocketScope is an analysis software incorporated with TRG that has built-in tools to track and analyze public comment data and provide real-time metrics and reporting. This tool is essential for CM-CD staff to quickly assess public comments. In addition, this tool will improve efficiency and workflows to support comment triage on proposed policies for the CMS Medicare Advantage (MA) and Prescription Drug Benefit programs.

☐ Basis for Approval (Far 6.303-1(d))

☒ Individual Basis

☐ Class Basis

Projected Cost / Price of contract (Base & All Options): [REDACTED]

Period of Performance	Proposed Value
Base Period: 09/11/2025 – 09/10/2026	[REDACTED]
Option 1: 09/11/2026 – 09/10/2027	[REDACTED]
Overall Estimated Costs	[REDACTED]

3. Authority and Rationale:

Actions other than simplified acquisition procedures (select only one and provide an explanation):

This justification is based on the authority of 41 U.S.C. 253 (c)(1) as implemented by FAR 8.405.6(b)(1) that Market Research indicates other companies' similar products do not meet or cannot be modified to meet MPPG's needs.

Actions other than simplified acquisition procedures (select only one and provide an explanation):

☒ FAR 6.302-1: Only one responsible source and no other supplies or services will satisfy agency requirements, 41 U.S.C. 253(c)(1). It is the only FedRAMP-certified comment review software available.

4. Bridge Contracts: N/A

5. Actions to Increase Competition: N/A

6. Market Research: Refer to Market Research

A review of the capabilities of other small business applications determined that The Regulatory

Groups (TRG) Docket Scope platform closely conforms to the needs of the Medicare rulemaking policy tools and development.

After reviewing comment review contractors, [REDACTED] CMS determined they were

[REDACTED] Further, they would [REDACTED]

[REDACTED] Therefore, it is not in the government's best interest to use one of these contractors.

A review of data analysis software [REDACTED]

Additionally, [REDACTED]

A review of other comment review software like [REDACTED]

7. Procurement History:

Purchase order or contract number: 75FCMC23P0032

Was Action Competed? ☐Yes ☒No

If action was not competed, state the cited authority, summarize rationale, and describe the actions that were supposed to be taken to increase competition and the results thereof: This was purchased through a sole source acquisition in the past as TRG is the only provider in the government's best interest.

8. Additional Information to support the justification

[REDACTED]

This modification, P0003 adds an additional period of performance to the existing contract. This is necessary as the work must continue for another year. [REDACTED]

This additional POP is needed to continue access to this software which is essential for CM-CD because it promotes efficiency in rulemaking and improved workflows for policy analysts and other staff who need to review, address and incorporate comments from the healthcare community. [REDACTED]

9. Listing of the sources, if any, that expressed, in writing, an interest in the acquisition.

N/A

10. 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

N/A

Approvals:

1. **Program Office Certification:** This is to certify that portions of this justification have been developed by the undersigned program office personnel, including supporting information and/or data verifying the Government's minimum needs, schedule requirements and other rationale, which form the basis for this justification for other than full and open competition.

[Redacted Signature] [Redacted Date]

Contracting Officer Representative (COR) / Date

[Redacted Signature] [Redacted Date]

Program/Project Manager (P/PM) / Date

Best Value Determination. By my signature below, after review of the relevant documents, I have determined that the order subject to this Justification represents the best value for the Government as set forth in FAR 6.303-2(b)(7), and constitutes a fair and reasonable price. The basis for my determination is as follows:

2. **Contracting Officer Certification:** This is to certify that the justification for the proposed acquisition has been reviewed and that to the best of my knowledge and belief, the information and/or data provided to support the rationale and recommendation for approval, is accurate and complete.

[Redacted Signature] [Redacted Date]

Contracting Officer / Date

3. OAGM Approvals

I hereby confirm the circumstances described above apply and approve the justification for other than full and open competition.

OAGM Division Director / Date

OAGM Group Director / Date

4. Head of Contracting Authority (HCA) Approval

I hereby confirm the circumstances described above apply and approve the justification for other than full and open competition.

HCA Name / Date

5. CMS Competition Advocate (CA) Approval

I hereby confirm the circumstances described above apply and approve the justification for other than full and open competition.

Name / Date

6. Senior Procurement Executive (SPE) Approval

Based on the foregoing justification, I hereby approve the procurement of (state supplies/services being procured) on another than full and open competition basis pursuant to the authority of (state the full statutory authority and FAR cite and title, consistent with paragraph 4, e.g. 41 U.S.C. 253(c)(1)), as implemented by [FAR 6.302-1](#)), subject to the availability of funds, and provided that the services herein described have otherwise been authorized for acquisition.

Name / Date