Market Consultation

For DHSC: OHID: Testing of Tar Nicotine and Carbon Monoxide (TNCO) (2023-27)

Project: C75064

Version Number: 1

Date: 20/06/2022

# Introduction

This information note and accompanying attachments are being made publicly available to any organisations which are interested in the abovementioned project.

This exercise is intended to provide potential bidders with the opportunity to view and comment on a Draft Specification for this upcoming opportunity if they wish to do so. This builds on a commitment to engage with the market, by sharing information and seeking input from the market to enable us to develop the final Invitation to Tender (ITT) in a fair and transparent manner. This exercise is to ensure that the final Invitation to Tender provides all tenderers with a clear understanding of the Department’s requirement and help reduce the number of questions that may be raised in the Tender Period. It also provide an opportunity to start getting ready for tender.

This Supplier Questionnaire is being issued in conjunction with the draft specifications (Draft Specifications200622)

**MARKET CONSULTATION – QUESTIONNAIRE RETURN**

* + 1. This questionnaire forms part of the market engagement activity to support the procurement of Independent Analysis - Testing of Tar Nicotine and Carbon Monoxide (TNCO) in cigarettes to be sold in the United Kingdom.
		2. The purpose of this questionnaire is to explore the market reaction to the proposed facility. We hope to identify critical success factors and potential barriers in order to inform the formal procurement process. To maximise the success of this subsequent procurement process we request that suppliers are open and honest in their responses and provide as much detail as possible.
		3. Prior to completing this questionnaire, suppliers are requested to read the accompanying Market Consultation Document which sets out the background and the proposed service requirements
		4. Participation in this Market Consultation is voluntary. It is not required to provide an answer to every question if particular questions are not relevant.
		5. The Department wishes to encourage participation at this stage in order to ensure a wide number of responses. The market engagement processes described above do not form part of the formal procurement process. When the formal procurement process commences any supplier may join the competition and all supplier bids will be evaluated on the same basis.
		6. The completed questionnaire should be returned via email ccsinbox@dhsc.gov.uk quoting **‘TNCO’** no later than **6th July 2022, 5pm**
		7. The Freedom of Information Act 2000 (FOIA) applies to the Department. You should be aware of the Department 's obligations and responsibilities under the FOIA to disclose, on written request, recorded information held. Information provided by you in connection with this procurement exercise, or with any Contract that may be awarded as a result of this exercise, may therefore have to be disclosed in response to such a request, unless the Department decides that one of the statutory exemptions under the FOIA applies. The Department may also include certain information in the publication scheme which it maintains under the FOIA.
		8. In certain circumstances, and in accordance with the Code of Practice issued under section 45 of the FOIA or the Environmental Information Regulations 2004, the Department may consider it appropriate to ask you for your views as to the release of any information before a decision on how to respond to a request is made. In dealing with requests for information under the FOIA, the Department must comply with a strict timetable and the Department would, therefore, expect a timely response to any consultation within two working days.
		9. You may provide information which is confidential in nature and which you may wish to be held in confidence. You must give a clear indication which type of material is to be considered confidential and why it is considered to be so, along with the time period for which it will remain confidential in nature. The use of blanket protective markings such as "commercial in confidence" will no longer be appropriate. In addition, marking any material as confidential or equivalent should not be taken to mean that the Department accepts any duty of confidentiality by virtue of such marking. Please note that even where you have indicated that information is confidential the Department may be required to disclose it under the FOIA if a request is received.
		10. The Department cannot accept that trivial information or information which by its very nature cannot be regarded as confidential should be subject to any obligation of confidence.
		11. In certain circumstances where information has not been provided in confidence, the Department may still wish to consult with you about the application of any other exemption such as that relating to disclosure that will prejudice the commercial interests of any party.
		12. The decision as to which information will be disclosed is reserved to the Department notwithstanding any consultation with you.
		13. Whilst the Department expects to proceed to procurement in due course, there is no obligation to do so as a consequence of this early market engagement activity.
		14. The publication of any documents at this stage is intended to provide potential bidders with the opportunity to view and comment on a draft specification for the requirement. The Department does not intend to be bound by any information at this stage. The Department makes no commitment to accept recommendations or suggestions. Once published, the Invitation to Tender will contain the final requirements in relation to this service. All previous versions, including any documents published at this stage should be disregarded.
		15. The Department of Health and Social Care (The Department) will make the final decision on the content of the Invitation to Tender documentation having considered feedback.
		16. The ITT will be released to the market in line with the timetable proposed although the procurement timetable has not been finalised at this stage and we reserve the right to make amendments as necessary.
		17. The ITT will include the final specification, pricing schedule, evaluation criteria and terms and conditions. TUPE will not apply to this contract.
		18. The ITT process will include the publication of:
* Contracts Finder notice
* Find a Tender Notice and
* Atamis system: Select this link to access and register your organisation to the Atamis system <https://health-family.force.com/s/Welcome>, if you have not already done so. You will be able to have access to this and other public sector opportunities.

Regards,

**Corporate and Clinical Services, Commercial Lifecycle**

**Commercial Directorate, Department of Health & Social Care**

**39 Victoria Street, London, SW1H 0EU**

**Name of the organisation:**

**Section A: gauging the level of interest**

What features of the project are of particular interest to you as a supplier and why?

Are there any features of the service that are of concern to you and why? How might these be addressed?

Is your organisation considering submitting a tender (or participating in a collaborative response) for this project? If not, is there any reason why? Could the Department take any steps to encourage greater participation?

**Section B: Supporting Documentation**

1. Does the Specification document provide you with a clear understanding of the Service being procured? Is it structured in a clear and straightforward way? Would you require any additional information?
2. The Specification document provides you with a draft deliverable and reporting requirements. Please provide any observations to those requirements.

**Section C: DRAFT TIMETABLE**

|  |  |
| --- | --- |
| **Event** | **Completed by** |
| ITT issued to Tenderers | 01/08/2022 |
| Closing date for submission of Tenderers’ questions | [12.00] hrs on: 18/08/2022 |
| Answers to Tenderers’ questions circulated to all Tenderers by  | [12.00] hrs on: 24/09/2022 |
| **Closing date for receipt of Tenders**  | **[12.00] hrs on: 31/08/2022** |
| Evaluation period including internal approvals (on or around)  | 23/09/2022 |
| Standstill period completed  | 07/10/2022 |
| Implementation Period | 08/10/2022 to 30/12/2022 |
| Anticipated Contract Commencement Date  | 01/01/2023 |

1. Do you think that the timetable is feasible? If no, provide reasons and what could be changed to facilitate wider participation.
2. In outline, what do you envisage will be the main activities required during the implementation phase, before the service commencement date? How long do you anticipate these activities will take? What additional information do you require to answer this question more fully?

**section d: procurement route**

1. The procurement route will be an Open Procedure. Do you feel that the procurement route is appropriate?

**section d: SOCIAL VALUE**

The Department aim to secure additional social value through the procurement of these services in accordance with [Procurement Policy Note 06/20](https://www.gov.uk/government/publications/procurement-policy-note-0620-taking-account-of-social-value-in-the-award-of-central-government-contracts). We have selected two possible criteria:

**Theme 3 Fighting climate change** - Effective stewardship of the environment**,** Sub-Criteria for MAC 4.1 Deliver additional environmental benefits in the performance of the contract including working towards net zero greenhouse gas emissions.

## Do you think this theme subcriteria are suitable and achievable? If not provide reasons.

## Do you think there are other themes and subcriteria that could be added?

## Do you consider this a barrier in your intention to apply for this service?

**Section E: Critical Success factors**

1. What are the key critical success factors for the project?
2. What are the major barriers to success? How might these be overcome?
3. Please use this section to provide any additional information which you feel might be of value or to highlight any additional items that need to be taken into consideration.

**thank you for taking the time to complete this questionnaire**

Name of authorised representative in block letters:

Position:

For and on behalf of:

Date:

**(This should be completed by the Supplier or a partner or an authorised representative in his / her own name and on behalf of the company / organisation completing this questionnaire)**