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Prior information notice

(Directive 2004/18/EC)

Section I: Contracting authority

I.1) Name, addresses and contact point(s):

Official name: [The Secretary of State for Health acting through the Department of Health](#) National ID: *(if known)*

Postal address: [79 Whitehall](#)

Town: [London](#)

Postal code: [SW1A 2NS](#)

Country: [United Kingdom \(UK\)](#)

Contact point(s): [Garry Raisbeck](#)

Telephone: [+44 1132545531](#)

For the attention of:

E-mail: supplier.helpdesk@dh.gsi.gov.uk

Fax:

Internet address(es): *(if applicable)*

General address of the contracting authority/entity: *(URL)* <https://www.gov.uk/government/organisations/department-of-health>

Address of the buyer profile: *(URL)* <https://www.gov.uk/government/organisations/department-of-health/about/procurement>

Further information can be obtained from

- The above mentioned contact point(s)
- Other (please complete Annex A.I)

I.2) Type of the contracting authority

- Ministry or any other national or federal authority, including their regional or local sub-divisions
- National or federal agency/office
- Regional or local authority
- Regional or local agency/office
- Body governed by public law
- European institution/agency or international organisation
- Other: *(please specify)*

I.3) Main activity

- General public services
- Defence
- Public order and safety
- Environment
- Economic and financial affairs
- Health

- Housing and community amenities
- Social protection
- Recreation, culture and religion
- Education
- Other: *(please specify)*

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities:

yes no

information on those contracting authorities can be provided in Annex A

Section II.A: Object of the contract - Works

II.1) Title attributed to the contract by the contracting authority:

II.2) Type of contract and location of works:

Main site or location of works:

NUTS code:

II.3) Information on framework agreement:

The notice involves the establishment of a framework agreement: yes no

II.4) Short description of nature and scope of works:

(if known, give figures only) Estimated cost excluding VAT: Currency:

or

Range: between : and: Currency:

Lots *(for information about lots, use Annex B as many times as there are lots)*

This contract is divided into lots: yes no

II.5) Common procurement vocabulary (CPV)

Main vocabulary:

II.6) Scheduled date for start of award procedures and duration of the contract

Scheduled date for start of award procedures: *(if known)* (dd/mm/yyyy)

Duration in months: or in days: (from the award of the contract)

or

(if known) Scheduled date for

start of works: (dd/mm/yyyy)

completion of works: (dd/mm/yyyy)

II.7) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA): yes no

II.8) Additional information: *(if applicable)*

Section II.B: Object of the contract - Supplies or services

II.1) Title attributed to the contract by the contracting authority:

Civil Litigation and Arbitration in Medicines and Pharmaceuticals (CLAMP)

II.2) Type of contract and place of delivery or of performance: (choose one category only – supplies or services – which corresponds most to the specific object of your contract or purchase(s))

Supplies

Services

Service category No: 21

(Please see Annex C1 for service categories)

Main place of performance or of delivery:

UK

NUTS code: UK

II.3) Information on framework agreement:

The notice involves the establishment of a framework agreement: yes no

II.4) Short description of nature and quantity or value of supplies or services: (in each of the service categories)

This Prior Information Notice (PIN) is not a call for competition. The purpose of this PIN is to notify the market of the Department of Health's intention to hold a supplier information day on Thursday 12 January 2017 in central London.

The Department intends to run a procurement to establish a panel of law firms – pursuant to a multi-supplier pseudo framework agreement – to act for, and provide advice to, the Department of Health in connection with Civil Litigation Arbitration and Mediation against companies in the pharmaceutical industry. The requirement will be for the provision of exploratory legal and professional advice, market structure analysis (incorporating financial analysis) and representation within civil proceedings. The scope of civil proceedings may include but shall not be limited to investigation into deceit, anti-competitive agreements, patent infringement and the abuse of dominant market positions by companies.

The procurement will relate to legal services within the meaning of Schedule 3 of the Public Contracts Regulations 2015. Given that the procurement process will relate to 'social and other specific services' only, it will be subject to limited regulation and accordingly will be conducted in accordance with Regulations 74 to 76 of the Public Contracts Regulations 2015.

A supplier engagement day will be held with interested organisations on Thursday 12 January 2017. Details of how to attend the day are provided in Section II.8 (Additional Information) below.

(if known, give figures only) Estimated cost excluding VAT:

Currency:

or

Range: between : 1.00

and: 6000000.00

Currency: GBP

Lots (for information about lots, use Annex B as many times as there are lots)

This contract is divided into lots: yes no

II.5) Common procurement vocabulary (CPV)

	Main vocabulary	Supplementary vocabulary (if applicable)
Main object	79100000	
Additional object(s)	79311400	
	79111000	
	79112000	

II.6) Scheduled date for start of award procedures (if known)

27/01/2017

II.7) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA): yes no

II.8) Additional information: *(if applicable)*

The purpose of the supplier information day is to engage with service providers to provide an opportunity to:

1. obtain a clear understanding of what business outcomes the Department of Health (DH) requires and ask questions regarding the proposed scope of work;
2. obtain market views on how to structure the requirement to enable DH to maximise market interest, innovation and value for money.

The supplier information day will involve a two-way group discussion including presentations and Q&A sessions before individual briefings are held on a one-to-one basis via telephone conference calls (where suppliers are unable to attend) or face-to-face meetings. The date and time slots will be confirmed in due course. All service providers should register their interest in attending the briefing by emailing: garry.raisbeck@dh.gsi.gov.uk no later than Monday 9th January 2017 providing:

1. company and contact details of the person(s) wishing to attend (up to a maximum of 2 people);
2. a single paragraph summary of your organisation's experience and reason for interest in attending.

Notes of the day including all questions and answers will be made available for those who are unable to attend or dial into a briefing.

This PIN is for information only and the DH reserves the right to not commence the proposed tendering process and to not conclude any framework agreement. The information contained in this notice, including information relating to the nature and scope of the DH's requirements, the service classification of this requirement or the list of CPV codes is only indicative of DH's current thinking and is neither exhaustive nor binding and DH reserves the right at its absolute discretion to amend it at the time of issue of any further notices or at any other time. The publication of this notice in no way obliges DH to commence with any competitive tender process. The DH is not and shall not be liable for any costs incurred by those expressing any interest in participating in the market consultation exercise advertised in this notice.

Potential suppliers should note that, in accordance with Government policies on transparency, DH intends to publish the Invitation to tender (ITT) documents, and the text of any framework agreement that is concluded, subject to redactions at the discretion of DH.

Further information on transparency can be found at <http://www.cabinetoffice.gov.uk/content/transparencyoverview>

----- *(Use this section as many times as needed but do not mix supplies and services in part II.2)* -----

Section III: Legal, economic, financial and technical information

III.1) Conditions relating to the contract:

III.1.1) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them: *(if known, provide information only in the case of works contracts)*

III.2) Conditions for participation:

III.2.1) Information about reserved contracts: *(if applicable)*

- The contract is restricted to sheltered workshops
- The execution of the contract is restricted to the framework of sheltered employment programmes

Section VI: Complementary information

VI.1) Information about European Union funds:

The contract is related to a project and/or programme financed by European Union funds yes no
(if yes) Reference to project(s) and/or programme(s):

VI.2) Additional information: *(if applicable)*

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1. obtain a clear understanding of what business outcomes the Department of Health (DH) requires and ask questions regarding the proposed scope of work;

2. obtain market views on how to structure the requirement to enable DH to maximise market interest, innovation and value for money.

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Further information on transparency can be found at <http://www.cabinetoffice.gov.uk/content/transparencyoverview>

VI.3) Information on general regulatory framework: *(if applicable)*

Relevant governmental Internet sites where information can be obtained

Tax legislation: (URL) <http://www.legislation.gov.uk/>

Environmental protection legislation: (URL) <http://www.legislation.gov.uk/>

Employment protection and working conditions: (URL) <http://www.legislation.gov.uk/>

For additional details about relevant governmental services where information can be obtained on taxes, environmental protection, employment protection and working conditions, please fill Annex A.II-IV (if applicable)

VI.4) Date of dispatch of this notice:

22/12/2016 (dd/mm/yyyy) - ID:2016-165913

Annex A
Additional addresses and contact points

I) Addresses and contact points from which further information can be obtained:

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail: Fax:
Internet address: *(URL)*

II) Address, contact points and internet site of the relevant government service from which information can be obtained about taxes:

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail: Fax:
Internet address: *(URL)*

III) Address, contact points and internet site of the relevant government service from which information can be obtained about environmental protection:

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail: Fax:
Internet address: *(URL)*

IV) Address, contact points and internet site of the relevant government service from which information can be obtained about employment protection and working conditions:

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail: Fax:
Internet address: *(URL)*

V) Address of the other contracting authority on behalf of which the contracting authority is purchasing

Official name National ID (if known):
Postal address:

Town
Country

Postal code

----- (Use Annex A Section V as many times as needed) -----

Annex B
Information about lots

Title attributed to the contract by the contracting authority

Lot No : **Lot title :**

1) Short description:

2) Common procurement vocabulary (CPV):

Main vocabulary:

3) Quantity or scope:

(if known, give figures only) Estimated cost excluding VAT:

Currency:

or

Range: between :

and:

Currency:

4) Indication about different date for start of award procedures and/or duration of contract (if applicable)

Scheduled date for start of award procedures: *(if known)* *(dd/mm/yyyy)*

Duration in months: or in days: (from the award of the contract)

or

(if known) Scheduled date for

start of works: *(dd/mm/yyyy)*

completion of works: *(dd/mm/yyyy)*

5) Additional information about lots:

Annex C1 – General procurement
Service categories referred to in Section II: Object of the contract
Directive 2004/18/EC

Category No [1]	Subject
1	Maintenance and repair services
2	Land transport services [2], including armoured car services, and courier services, except transport of mail
3	Air transport services of passengers and freight, except transport of mail
4	Transport of mail by land [3] and by air
5	Telecommunications services
6	Financial services: a) Insurances services b) Banking and investment services [4]
7	Computer and related services
8	Research and development services [5]
9	Accounting, auditing and bookkeeping services
10	Market research and public opinion polling services
11	Management consulting services [6] and related services
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services
13	Advertising services
14	Building-cleaning services and property management services
15	Publishing and printing services on a fee or contract basis
16	Sewage and refuse disposal services; sanitation and similar services
Category No [7]	Subject
17	Hotel and restaurant services
18	Rail transport services
19	Water transport services
20	Supporting and auxiliary transport services
21	Legal services
22	Personnel placement and supply services [8]
23	Investigation and security services, except armoured car services
24	Education and vocational education services
25	Health and social services
26	Recreational, cultural and sporting services [9]
27	Other services

1 Service categories within the meaning of Article 20 and Annex IIA to Directive 2004/18/EC.

2 Except for rail transport services covered by category 18.

3 Except for rail transport services covered by category 18.

4 Except financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. The following are also excluded: services involving the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon. However, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to the Directive.

- 5 Except research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority.
- 6 Except arbitration and conciliation services.
- 7 Service categories within the meaning of Article 21 and Annex IIB of Directive 2004/18/EC.
- 8 Except employment contracts.
- 9 Except contracts for the acquisition, development, production or co-production of program material by broadcasters and contracts for broadcasting time.