

369675-2026 - Direct award preannouncement

Ireland – Legal services – Provision of Legal Services to the National Paediatric Hospital Development Board
OJ S 102/2026 29/05/2026
Voluntary ex-ante transparency notice - Change notice
Services

1. Buyer

1.1. Buyer

Official name: National Paediatric Hospital Development Board

Email: procurement@nph.ie

2. Procedure

2.1. Procedure

Title: Provision of Legal Services to the National Paediatric Hospital Development Board

Description: The NPHDB (the “Board”) entered into a contract with McCann FitzGerald LLP for Legal Services in connection with the New Children's Hospital in March 2018 (the “Contract”). The Contract was awarded following a mini- tender competition conducted pursuant to an OGP Framework Agreement for General legal Services (Lot 1) published on eTenders in August 2015. The Contract is for the duration of the construction phase of the New Children’s Hospital, which at the time of entering into the contract with McCann FitzGerald LLP was expected to take 50 months. However, the services of McCann FitzGerald LLP will be required by NPHDB to assist with legal matters beyond the official opening of the New Childrens Hospital. The Board is of the view that the Contract and tender documents for the competition made provision for or flagged in a sufficiently clear and precise manner that the term of the Contract would match the programme for delivery of the NCH including any prolonged period of construction.

Procedure identifier: a6c04889-df01-479b-9061-f17d3ae66c7b

Type of procedure: Negotiated without prior call for competition

2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 79100000 Legal services

2.1.2. Place of performance

Postal address: Block A, Herberton, St James Walk, Rialto Dublin 8 Dublin Ireland

Town: Dublin

Postcode: D08 HP97

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

2.1.4. General information

Legal basis:

Directive 2014/24/EU

5. Lot

5.1. Lot: LOT-0000

Title: Provision of Legal Services to the National Paediatric Hospital Development Board

Description: In March 2018, NPHDB entered into a contract with McCann FitzGerald LLP for Legal Services in connection with the New Children's Hospital (the "Contract"). The Contract is for the duration of the construction phase of the New Children's Hospital, which at the time of entering into the contract with McCann FitzGerald LLP was expected to take 50 months. However, the services of McCann FitzGerald LLP will be required by NPHDB to assist with legal matters beyond the official opening of the New Children's Hospital. The Board is of the view that the extension of the Contract to match the programme for the delivery of the New Children's Hospital (including any extended/prolonged period of construction) is permitted under the principle of the derogation at Regulation 72(1)(a) of the European Union (Award of Public Authority Contracts) Regulations 2016 ("Regulations") on the basis that this was provided for in the initial procurement documents in clear, precise and unequivocal review clauses. This is based on the position that the Board noted in the SRFT that "the legal services that maybe required during the construction phase of the project" cover "Services during the Phase B construction works (incorporating remaining Phase A works) on the St James's site through to building commissioning and handover". Additionally a key part of the scope was the provision of legal services as may be required to establish post-substantial completion systems maintenance and SLA arrangement for the hospital "post construction" (a service which can only be provided once the development is completed). As such, it is NPHDB's view that the continuation of drawdown of services under the Contract is permissible in accordance with the principle of Regulation 72(1)(a) of European Union (Award of Public Authority Contracts) Regulations 2016 on the basis that it was clearly and sufficiently provided for in some of the tender documents and/or on the exemption from the EU procurement regulations in Statutory Instrument 284 of 2016, Article 10(1)(d): (i) legal representation of a client by a lawyer within the meaning of Article 1 of Directive 77/249/EEC.

Internal identifier: Provision of Legal Services to the National Paediatric Hospital Development Board

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 79100000 Legal services

5.1.2. Place of performance

Postal address: St James Campus St James Street Dublin

Town: Dublin

Postcode: D08 HP97

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

5.1.6. General information

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA): yes

5.1.15. Techniques

Framework agreement:

Framework agreement, without reopening of competition

5.1.16. Further information, mediation and review

Review organisation: High Court Dublin Ireland

6. Results

Approximate value of the framework agreements

:

1 088 080,00

EUR

Direct award

:

Justification for direct award: Contracts with estimated value below the procurement thresholds

Other justification: The legal services provided by McCann Fitzgerald LLP under the contract is for the duration of the construction phase of the New Children's Hospital, which at the time of entering into the contract with McCann FitzGerald LLP was expected to take 50 months.

However, the services of McCann FitzGerald LLP will be required by NPHDB to assist with legal matters beyond the official opening of the New Childrens Hospital. The Board is of the view that the extension of the Contract to match the programme for the delivery of the New Children's Hospital (including any extended/prolonged period of construction) is permitted under the principle of the derogation at Regulation 72(1)(a) of the European Union (Award of Public Authority Contracts) Regulations 2016 ("Regulations") on the basis that this was provided for in the initial procurement documents in clear, precise and unequivocal review clauses. Additionally a key part of the scope was the provision of legal services as may be required to establish post-substantial completion systems maintenance and SLA arrangement for the hospital "post construction" (a service which can only be provided once the development is completed). As such, it is NPHDB's view that the continuation of drawdown of services under the Contract is permissible in accordance with the principle of Regulation 72(1) (a) of European Union (Award of Public Authority Contracts) Regulations 2016 on the basis that it was clearly and sufficiently provided for in some of the tender documents and/or on the exemption from the EU procurement regulations in Statutory Instrument 284 of 2016, Article 10 (1)(d): (i) legal representation of a client by a lawyer within the meaning of Article 1 of Directive 77/249/EEC.

6.1. Result lot identifier: LOT-0000

Framework agreement:

Re-estimated value of the framework agreement: 1 088 080,00 EUR

6.1.2. Information about winners

Winner:

Official name: McCann FitzGerald LLP

Tender:

Tender identifier: TEN-0001

Identifier of lot or group of lots: LOT-0000

Value of the tender: 1 088 080,00 EUR

Subcontracting: Yes

Subcontracting value is known: no

Subcontracting percentage is known: no

Contract information:

Identifier of the contract: CON-0001

8. Organisations

8.1. ORG-0001

Official name: National Paediatric Hospital Development Board
Registration number: N/A
Postal address: Block A, Herberton, St James's Walk, Rialto, Dublin 8
Town: Dublin
Postcode: D08 HP97
Country subdivision (NUTS): Dublin (IE061)
Country: Ireland
Contact point: Procurement Team
Email: procurement@nph.ie
Telephone: 015564500
Internet address: <https://irl.eu-supply.com>

Roles of this organisation:

Buyer

8.1. ORG-0002

Official name: McCann FitzGerald LLP
Postal address: Riverside One, Dublin 2 Ireland
Town: Dublin
Postcode: D02 X576
Country subdivision (NUTS): Dublin (IE061)
Country: Ireland
Internet address: <https://www.mccannfitzgerald.com>

Roles of this organisation:

Tenderer

Winner of these lots: LOT-0000

8.1. ORG-0003

Official name: High Court Dublin Ireland
Town: Dublin
Postcode: D07 A78X
Country subdivision (NUTS): Dublin (IE061)
Country: Ireland

Roles of this organisation:

TED eSender

Review organisation

8.1. ORG-0000

Official name: Publications Office of the European Union
Registration number: PUBL
Town: Luxembourg
Postcode: 2417
Country subdivision (NUTS): Luxembourg (LU000)
Country: Luxembourg
Email: ted@publications.europa.eu
Telephone: +352 29291
Internet address: <https://op.europa.eu>

Roles of this organisation:

TED eSender

10. Change

Version of the previous notice to be changed

:

606533-2023

Main reason for change

:

Publisher correction

Description

:

The National Paediatric Hospital Development Board (the “Board”) entered into a contract with McCann FitzGerald LLP for Legal Services in connection with the New Children's Hospital in March 2018 (the “Contract”). The Contract was awarded following a mini- tender competition conducted pursuant to an Office of Government Procurement Framework Agreement for General legal Services (Lot 1) published on eTenders in August 2015. The Contract is for the duration of the construction phase of the New Children’s Hospital, which at the time of entering into the contract with McCann FitzGerald LLP was expected to take 50 months. However, the services of McCann FitzGerald LLP will be required by NPHDB to assist with legal matters beyond the official opening of the New Childrens Hospital. The Board is of the view that the Contract and tender documents for the competition made provision for or flagged in a sufficiently clear and precise manner that the term of the Contract would match the programme for the delivery of the New Children’s Hospital including any extended/prolonged period of construction.

10.1. Change

Section identifier: CON-0001

Description of changes: The Contract is for the duration of the construction phase of the New Children’s Hospital, which at the time of entering into the contract with McCann FitzGerald LLP was expected to take 50 months. However, the services of McCann FitzGerald LLP will be required by NPHDB to assist with legal matters beyond the official opening of the New Childrens Hospital. The Board is of the view that the extension of the Contract to match the programme for the delivery of the New Children’s Hospital (including any extended/prolonged period of construction) is permitted under the principle of the derogation at Regulation 72(1)(a) of the European Union (Award of Public Authority Contracts) Regulations 2016 (“Regulations”) on the basis that this was provided for in the initial procurement documents in clear, precise and unequivocal review clauses. This is based on the position that the Board noted in the SRFT that “the legal services that maybe required during the construction phase of the project” cover “Services during the Phase B construction works (incorporating remaining Phase A works) on the St James’s site through to building commissioning and handover” and “Services during the construction of Tallaght Out-Patient and Urgent Care centre through to building commissioning and handover”. Additionally, a key part of the scope was the provision of legal services as may be required to establish post-substantial completion systems maintenance and SLA arrangement for the hospital “post construction” (a service which can only be provided once the development is completed). As such, it is NPHDB’s view that the continuation of drawdown of services under the Contract is permissible in accordance with the principle of Regulation 72(1)(a) of European Union (Award of Public Authority Contracts) Regulations 2016 on the basis that it was clearly and sufficiently provided for in some of the tender documents and/or on the exemption from the EU procurement regulations in Statutory Instrument 284 of 2016, Article 10(1)(d): (i) legal representation of a client by a lawyer within the meaning of Article 1 of Directive 77/249/EEC

Notice information

Notice identifier/version: 9da79c86-0219-446c-90ce-de1b3b55b199 - 01

Form type: Direct award preannouncement

Notice type: Voluntary ex-ante transparency notice

Notice subtype: 25

Notice dispatch date: 28/05/2026 10:28:06 (UTC+00:00) Western European Time, GMT

Languages in which this notice is officially available: English

Notice publication number: 369675-2026

OJ S issue number: 102/2026

Publication date: 29/05/2026