This project is funded by the European Union

Energy Efficiency Compliant Products - EEPLIANT3 [GA: 832558]

WP10 Concerted market surveillance action on "Residential Ventilation Units", task 10.2 and 10.5

# Annex B Requirements

# Call for Tenders on Laboratory Test Services

10th August 2021

## 1. Relevant EU regulations, guidelines, and test standards

The tenderer shall prepare and execute the measurements of the efficiency and other performance parameters of RVUs:

- as specified in the regulation (EU) No 1253/2014 and the delegated regulation (EU) No 1254/2014
- and COMMISSION REGULATION (EU) 2016/2282 of 30 November 2016 amending Regulations (EC) No (…) with regard to the use of tolerances in verification procedures[1].
- according to state of the art measurement methods, such as the EN 13142, the EN 13141-series acc. to product type, and EN ISO 5801
- as explained in the Commission Communication in OJ 2016/C 416/06[2]
- and the implementation guidelines accompanying the regulations[3].

## 2. Scope

The categories in scope of this tender are defined in the main tender document “Call for tender for Laboratory Test Services Residential Ventilation Units”.

**Optional purchase**

In case a single-product test result indicates non-compliance, a triple-product test (+3 appliances test)

[1] *COMMISSION REGULATION (EU) 2016/2282 of 30 November 2016 amending Regulations (EC) No 1275/2008, (EC) No 107/2009, (EC) No 278/2009, (EC) No 640/2009, (EC) No 641/2009, (EC) No 642/2009, (EC) No 643/2009, (EU) No 1015/2010, (EU) No 1016/2010, (EU) No 327/2011, (EU) No 206/2012, (EU) No 547/2012, (EU) No 932/2012, (EU) No 617/2013, (EU) No 666/2013, (EU) No 813/2013, (EU) No 814/2013, (EU) No 66/2014, (EU) No 548/2014, (EU) No 1253/2014, (EU) 2015/1095, (EU) 2015/1185, (EU) 2015/1188, (EU) 2015/1189 and (EU) 2016/2281 with regard to the use of tolerances in verification procedures*, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R2282

[2] *Commission communication in the framework of the implementation of Commission Regulation (EU) No 1253/2014 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for ventilation units and of the implementation of Commission Delegated Regulation (EU) No 1254/2014 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of residential ventilation unit*, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC1111(09)&from=EN

[3] *Guidelines accompanying Regulation (EU) No 1254/2014 with regard to the energy labelling of residential ventilation units and Regulation (EU) No 1253/2014 with regard to ecodesign requirements for ventilation units*, The European Commission (Oct. 2016), https://ec.europa.eu/energy/sites/ener/files/documents/implementation_guide_-_ventilation_units_with_cover.pdf

will be conducted. Three new samples of the same product model will be tested to prove non-compliance. Triple testing will be order by the WP10 participating Market Surveillance Authority concerned. For the triple-product testing the test laboratory already knows the set-up, settings, fittings etc., so the triple-product testing is expected to be less time consuming.

## 3. Requested services

As part of the contract duration, the contractor will issue service orders, instructing the service provider to:

a) Appoint a primary contact person who has project management authority for the duration of the EEPLIANT3 concerted action. Any change of appointed contact will be by agreement with vores bureau. Work with vores bureau and WP10 MSA staff by email/phone to plan the preparation, testing and reporting programme to achieve a workable and smooth process.

b) Host a physical and a remote/web WP10 Action meeting visit of the WP10 group (around 10-12 EEPLIANT3 participants) and participate in relevant parts of the meeting. The physical meeting is intended to be performed at the lab facility, provided the Covid-19 situation allows it. One meeting will be held soon after the completion of 3-5 single-product tests and one may be requested after 15-20 single-product tests. It would be helpful for full understanding, to include a visit to the test chamber with an example product. This should include observations from lab staff on difficulties, queries, and suggestions to improve any aspect of the EEPLIANT3 Action, testing process, test standard and regulation.

c) Participate in constructive discussions when Action meetings are held at lab premises (above), by email or conference call with Action participants. Referring to section 7 in the Tender this assistance could include but is not limited to discussions and suggestions on screening tests and stop/go criteria during test, practical ideas for improvements to test method, equipment, processes, project plan and issues around circumvention (closing loopholes, addressing other weaknesses). This is to help maximise benefits of the Action and to inform the project team efforts to positively influence future development of test method, regulation, market surveillance good practice and test lab capacity in the EU. These discussions may involve other participating lab(s) by arrangement.

d) Perform compliance test of each product according to the relevant test parameters of the products according to the above-mentioned regulations, to the appropriate standard, measuring and calculating relevant parameters, in order to verify the relevant energy labelling, Product fiche and Product information. Testing should address, at a minimum, the parameters outlined in as specified in Annex C.

e) During the standard testing process for all appropriate standards, be vigilant for possible signs of circumvention of testing process by manufacturers. If suspicious activity is observed, then proposals for further investigation can be discussed with the EEPLIANT3 participants and Market Surveillance Authorities- any additional investigation will be separately agreed

f) For each product tested, provide a separate short report that provides a view on whether the product meets the requirements of each part of the regulatory requirements and a pass/fail conclusion. This should include:

- observations on circumvention review including a summary of the type of product behaviour that was under scrutiny (for each standard used).

- comparison table of parameters declared by supplier vs. measured in tests with comments on validity.
- copies of any correspondence with supplier/manufacturer (referring to Section 4.c).
- photo of rating plate and other pictures of the product and its test set up.
- Potentially followup communication and clarifications regarding test results also with the individual MSAs by submission of test reports.

  Note: in all cases, the final decision on pass/fail is made by the relevant Authority

g) Potentially, perform physical inspection of the product according to the check parameters explained in Annex C.

h) Provide an overall final report on the testing process for all products to include:

- A detailed index table of the tests carried out, including model name/number, type of product, load profile, volume, heat loss or rated heat output, smart function and any item or calculation needed for the Regulations mentioned above, date of test, overall ecodesign and energy label compliance pass / fail recommendation, energy label classes, status: in storage/disposed, list of any failure points.
- Collated set of observations on any difficulties or queries with the test standard process or regulation.
- Notes of any suggestions by the lab for improvement of the testing process, test standard and regulation.
- Collated observations regarding circumvention and any recommendations on any known loopholes or other weaknesses in test standards or regulations.
- Confirmation of which product(s) remain in storage and any time or space restriction(s) on that storage. Also, summary of disposal routes used for other units.
- Annex including all individual product test reports.

i) After the testing return the RVU's in orderly state and without defects to the owner. Or alternatively depending on the situation and instructions from the Contractor, store each product securely until the test report is accepted by the contractor. In case of queries about the testing or measurements, products may be needed for the meeting to discuss test results or to return them to the lab for further testing. Approval of the test report may take many weeks if queries have to be resolved with suppliers (contractual payments will not be affected by any such delay, as long as reports meet the stipulated requirements).

## 4. Other requirements / assumptions

The tender offer should also demonstrate ability to meet the following requirements:

a) Timeline: The first RVUs for testing are expected to be available immediately after the contract has been signed. This timeline may change and any significant implications of changes to the timeline (e.g. of up to 2 months delay) should be noted in the tender offer. The final number of products to be tested per contract and the specific tests of the products to be performed depend upon overall price, throughput capacity of labs and number of labs appointed. The final number

and timing will be decided in discussion with preferred bidder(s) before placement of the contract(s).

b) Triple testing: In the case of indication of non-compliance, three identical products may be tested in the same batch.

c) Contact with manufacturer: Referring to section 3. f) in the current document and Section 5 *Qualification criteria, Confidentiality* in the Call for tenders document, direct contact, and communication between the manufacturer/importer of the product sample and the lab can only take place if it is allowed by the MSA being responsible for the inspection of the specific product.

d) Compliance opinion: The purpose of the testing is to inform the Market Surveillance Authority of testing results in order for it to decide whether a particular product complies with the applicable energy labelling and ecodesign legislation. Decisions will include considering the test report provided by the lab in line with the harmonised standard as part of these services.

e) Delivery: The products to be tested will be delivered to the lab free of charge in original packaging, brand new. They will arrive either singly or in batches over a period of up to one month before the agreed testing batch is due to commence. Suitable arrangements to receive and verify receipt of the correct product (as per prior notice by the Contractor) must be made by the lab. Products remain the property of the EEPLIANT3 concerted action or the MSA providing them throughout, unless released for disposal. In some cases, however, the MSA will perform preinspection before forwarding the product to the lab.

f) Storage: Products must be securely stored by the lab between their delivery to the lab (for an agreed facility) through testing and until collection by vores bureau or permission is given by vores bureau in writing for its disposal. Storage must be in a dry and temperature-controlled facility with controlled access by personnel. Product must be kept secure from tampering before and after testing. vores bureau will ensure that, before the end of the contract, each product is either collected, approved for disposal, or a contract to extend storage is in place with the relevant authority. The cost of storage to the end of the testing contract should be included in the overall price and assume that no more than half of the products will be stored for more than four months after completion of their test. The cost of storage beyond the end of the testing contract will be agreed for use in a separate contract between the lab and the authority which supplied the product(s).

Disposal or return:

Some but not all products will be returned to suppliers. For those that are returned, the lab should also be able to complete the administrative aspects of the transport of the unit from the lab back to the manufacturer/importer once the unit is tested and after agreement with the MSA. Transport cost are payd by the contractor.

Those that are not returned may be released for disposal by the lab after completion of testing. It is requested that this is done in a socially responsible way such as through donation to a charity (only in the case of complaint products) or worthy local cause, or at by delivering the units for recycling. Confirmation of disposal and route will be required as part of the final report.

**DISCLAIMER**

This tender is part of the EEPLIANT3 concerted action that has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 832558.