

Energy Efficiency Compliant Products - EEPLIANT3 (EU Grant Agreement N° 832558)

Call for Tender for Test Laboratories

Water heaters and storage tanks

24 February 2021

1. Background

PROSAFE is an international non-governmental organisation established in 1991 by market surveillance officers from various countries throughout Europe. Its main aim is to contribute to the safety of products and services by promoting best practices in market surveillance. Since 2006, PROSAFE has established itself as the organising and coordinating body for Joint Market Surveillance Actions in Europe. PROSAFE's official name is "Stichting PROSAFE". It is a foundation under Dutch law.

One of PROSAFE's activities is to set up and coordinate Joint Market Surveillance Actions. Each Joint Action comprises a number of work packages that target specific product groups, and a number of activities aiming at developing methods and best practices.

In 2019, PROSAFE became the lead coordinator for the Energy Efficiency Compliant Products 2018 - EEPLIANT3. The Concerted Action started in June 2019 and it is expected to end in November 2023, provided an extension of the project duration to mitigate Covid-19 effects is approved. Work Package 9 of the Concerted Action addresses **water heaters and storage tanks**.

EEPLIANT3 falls under the following roles and responsibilities:

1. A Project Leader for the overall EEPLIANT3 Concerted Action is responsible for the performance, reporting and strategic coordination of the Work Packages;
2. *Member State representatives are appointed as Work Package Leaders, including one responsible for the activity on water heaters (under Work Package 9).*
3. These Work Package Leaders are supported by a selected technical facilitator/expert: Sophie Attali for Work Package 9. The technical facilitator is responsible for supporting the day-to-day works of the Work Package.
4. PROSAFE is the Project Coordinator, responsible for the general and financial management and coordination of the Concerted Action.

An important part of the EEPLIANT3 Action is the testing of products for compliance with the relevant energy labelling and ecodesign regulations, which requires testing of products to the appropriate European standard in accredited test labs. The products to be tested are selected, bought and delivered to the lab by the EEPLIANT3 Action team.

For operational, capacity and technical reasons, it is expected to appoint one or more labs to carry out the joint programme of work. The labs appointed will be encouraged to cooperate and share experience to maximise positive outcomes from the Action, including development of sustainable expert capacity in the sector.

Call for tender for laboratory testing of water heaters and hot water storage tanks

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2. Overview of the tender

This tender covers energy efficiency testing programmes under the group “water heaters and hot water storage tanks” subject to Commission Regulation (EC) No 814/2013 (ecodesign) and Commission Delegated Regulation (EU) No 812/2013 (energy labelling).

Further details of the exact scope of products to be tested and tasks are provided below, along with additional assumptions and requirements.

Bids are invited from individual labs only.

In order to be considered, Tenderers must meet all of the Exclusion and Qualifying Criteria. Please check these requirements carefully and ensure that the bid explicitly addresses how each of these criteria are met.

Compliant bids will be entered into a shortlist for further joint assessment to obtain most advantageous overall delivery and best value.

Bids will be assessed according to the assessment criteria set out in the relevant section below.

It is possible to bid for only one or for more of the 4 product categories as defined under Section 5 - Requirements, sub-section entitled “Definition of scope products as per EU regulations” of this Call; in that case the rationale should be clearly explained. Moreover, the qualifying criteria and the assessment questions apply and should be answered for each of the product categories.

3. Exclusion criteria

Tenderers are excluded from participation in this tender procedure if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- c) they have been guilty of grave professional misconduct;
- d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the European union's financial interests;
- f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Tenderers are asked to provide a declaration on honour stating that they are not in one of the situations giving rise to exclusion from the procedure as listed above. Tenderers must use the model circulated with the tender documentation, reproducing it word for word and in its entirety.



4. Qualifying criteria

These are the minimum qualifying criteria that must be met by all tenderers in order for their bid to be considered. Compliance with each should be explicitly confirmed and if necessary explained in the tender. (Note: Assessment criteria to rank bids are given separately in a later section).

Accreditation

1. The results of this testing will be used by market surveillance authorities to assess the compliance of equipment with regulations; results may have to be used to support legal action. For this reason, authorities must be able to demonstrate full legal confidence in results. Therefore, accreditation according to ISO/IEC 17025:2017(E) is required, as well as accreditation for the relevant test method(s) for the products to be tested (i.e. EN 12897: 2006, EN 12977-3: 2012, EN 15332: 2007, EN 60379: 2004, EN 50440:2015, EN 16147: 2011). Accreditation is also required for other testing required by the relevant regulation(s), such as for noise in the case of heat pump water heaters (i.e. EN 12102:2013). If a bid relies on accreditation to a 'similar' test method, then this must be justified carefully in the proposal. The scope of competence and management systems active at the lab shall fully comply with EN 17025 accreditation and shall include, but is not limited to, control of:

- Competence of staff, particularly in their allocated tasks;
- Supervision of staff undergoing training;
- Laboratory facilities for testing and calibration shall be such as to facilitate correct performance of the tests and/or calibrations according to the relevant standard(s);
- All equipment used for tests and/or calibrations, including equipment for subsidiary measurements having a significant effect on the accuracy or validity of the result of the test, calibration or sampling, shall be calibrated as necessary before being put into service to fully meet the relevant standard(s);
- Adequate supervision of testing and calibration staff by persons familiar with methods and procedures, purpose of each test and/or calibration, and with the assessment of the test or calibration results;
- Procedures in place and followed for proper processing, storage, maintenance and disposal of quality and technical records;
- Procedures to securely protect and backup records and prevent unauthorized access or amendment;
- Procedures for task requests, including verification of necessary capability, resources and full compliance of work with the contract, reporting to an Activity Coordinator.

Absence of conflict of interest

2. Absence of conflict of interest in assessing products from any supplier or potential supplier to the EU market, and full independence from Action beneficiaries/participants, manufacturers, importers, distributors or other economic operators in the market. Any potential or perceived conflicts must be noted in the proposal, with details on how this is managed. This is very important because the results of testing may be used by authorities to follow up non-compliance, including legal proceedings.

Right to witness testing

3. One or two representatives of PROSAFE and/or the Market Surveillance Authority will be permitted to witness any given test by prior arrangement, also a representative of the manufacturer of the model under test under supervision of test Laboratory personnel.

Location and co-location of staff

4. All testing of the supplied products must be carried out in a laboratory situated within the EU or EEA. The tenderer must explain if the testing will be conducted in a different location /country to that of the office submitting the bid.
5. The laboratory shall have the necessary managerial and technical personnel based at the lab site for the duration of testing; those staff shall have the authority and resources needed to carry out the testing and reporting.

Subcontracting

6. PROSAFE does not accept that the selected laboratory subcontracts the testing services or any other service covered by this Call for Tenders. The laboratory must include capability and capacity to carry out the testing services without the need to subcontract any testing outside its own capacity. If a specific skills or capacity gap becomes apparent after the work has been commissioned (for example, if it was not envisaged in the specification), the laboratory must ask for the explicit written permission of PROSAFE's Executive Director before any such subcontracting can be considered.

Experience

7. Recent experience of testing relevant or very similar products to the required EN standards, including classification of products and interpreting test results for establishing compliance with relevant ecodesign and energy label regulations.

Capabilities

8. Fluent in English for technical discussions and reporting.
9. All necessary equipment to test to the relevant standard(s) for which all necessary equipment meets the requirements set out in the relevant standard(s), including measurement of noise.
10. If allowed by the circumstances, ability and willingness to host a visit of EEPLIANT3 experts/participants to see test chambers and discuss details with technical staff as part of the final stage of the assessment process before award of contract(s).
11. Ability and willingness (if it becomes necessary) to provide additional technical services directly to EU Member State market surveillance authorities for work relating to the testing tasks in this specification or to other tasks. Any such work would be separately quoted and contracted.
12. Willingness to participate in discussion of results with other labs to develop common good practice approaches as a learning exercise for all participating test labs during the testing programme.
13. Flexibility to agree a reporting format (template and content) as required to meet the reasonable consensus requirements of Authorities.

Storage of products

14. Store each product securely until collection by PROSAFE by arrangement or until permission is given by PROSAFE in writing for its disposal. This longer-term storage does not have to be at the lab. Storage could be required for 12 months or more in total to allow for completion of any resultant court case but any storage beyond the end of the EEPLIANT3 Grant Agreement (which means beyond November 2023) will be organised between the lab and the relevant authority by separate contract.



Keeping records of document and reports

15. The lab accepts to keep an electronic copy of all test reports and supplementary reports, and other supporting documentation until a date mutually agreed by the contracting parties - to be indicated in the contract.

Confidentiality

16. The lab must be willing to hold test results in confidence and undertake not to release or discuss any information about testing or any test results with any manufacturer or other party unless explicitly agreed with the relevant market surveillance authority.

Acceptance of PROSAFE standard terms

17. Willingness to comply with "PROSAFE's General Conditions for Tender as attached to this specification.
18. Contractors accept without reservations that EASME (EU Agency managing the Horizon 2020 programme), the European Commission, the European Court of Auditors and OLAF (European Anti-Fraud Office) have the right to carry out checks, reviews and audits on contractors and subcontractors.

Bids assessed to have met the above Qualifying Criteria will be eligible for further assessment as below. Bids that do not meet the above Qualifying Criteria will be rejected.

5. Requirements

Relevant EU regulations

The aim of the test is to verify if selected products comply to the following EU Regulations:

COMMISSION DELEGATED REGULATION (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device.

COMMISSION REGULATION (EU) No 814/2013 of 2 August 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for water heaters and hot water storage tanks.

And also:

COMMISSION REGULATION (EU) 2016/2282 of 30 November 2016 amending Regulations [...] (EC) No 643/2009, [...] with regard to the use of tolerances in verification procedures.

Definition of scope of products, as per the EU regulations:

"Water heaters and hot water storage tanks" means water heaters with a rated heat output ≤ 400 kW and hot water storage tanks with a storage volume $\leq 2\,000$ litres.

Products to be tested could include:

- Electric storage water heaters, Load profile 3XS-5
- Electric storage water heaters, Load profile M-4XL, ≤ 70 kW
- Monobloc heat pump water heaters, Load profile M-4XL, ≤ 70 kW
- Storage tank, ≤ 500 l

Relevant test standard:

Tests and calculations should be performed according to the Transition method of the European Commission 2014/C 207/03 and to the following standards.

Transition method of the European Commission 2014/C 207/03.

EN 12897:2016+A1:2020 - Water supply - Specification for indirectly heated unvented (closed) storage water heaters.

EN 12977-3: 2012 - Thermal solar systems and components. Custom built systems. Performance test methods for solar water heater stores.

EN 15332: 2007 - Heating boilers. Energy assessment of hot water storage systems.

EN 60379: 2004 - Methods for measuring the performance of electric storage water-heaters for household purposes.

EN 50440:2015 - Efficiency of domestic electrical storage water heaters and testing methods.

EN 16147: 2017 - Heat pumps with electrically driven compressors. Testing, performance rating and requirements for marking of domestic hot water units.

EN 12102:2013 - Air conditioners, liquid chilling packages, heat pumps and dehumidifiers with electrically driven compressors for space heating and cooling. Measurement of airborne noise. Determination of the sound power level.

Requested services

The task comprises the following services (consider in context of the other requirements / assumptions detailed below):

- a) Potentially, host a visit of around 3-6 EEPLIANT3 staff to the lab facility, as part of final stage of assessment process - if the circumstances allow. Will include discussions of technical testing and logistical, timing and capacity issues with lab staff.
- b) Appoint a primary contact person who has project management authority for the duration of the EEPLIANT3 Action. Any change of appointed contact will be by agreement with EEPLIANT3 team. Work with EEPLIANT3 staff by email/phone to plan the preparation, testing and reporting programme to achieve a workable and smooth process.
- c) Take digital photographs of each product before testing that show all main features and functionality and the rating plate. Label each image file recognisably and/or provide an index of images that is searchable by brand and model number.
- d) Participate in constructive discussions when Action meetings are held at lab premises and occasionally by email or conference call with Action participants regarding 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.
- e) Test each product according to the above-mentioned regulations, to the appropriate standard, measuring and calculating relevant parameters, in order to verify the relevant energy labelling information declared on product energy labels and in product fiches, and to demonstrate

compliance with the specific ecodesign requirements relevant to each product type, including the maximum tap pattern. Testing should address, at a minimum, the parameters outlined in Table 7 of Annex V of Regulation 814/2013 and Table 9 of Annex IX of Regulation 812/2013

- f) Issue an individual report that meets or exceeds the requirements of both the relevant standard and regulation(s), and according to the recommended reporting format. Reports must record which sections of the testing process were not carried out as agreed beforehand with EEPLIANT3. Reports should include a general photo of the product and a photo of its rating plate.
- g) 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.
- h) For each product tested, provide a separate short supplementary report that provides a professional view on whether the product meets the requirements of each part of the regulatory requirements and an overall pass/fail opinion. This should include:
 - o observations on circumvention review including a brief summary of the type of product behaviour that was under scrutiny (for each standard used).
 - o comparison table of parameters declared by supplier vs. measured in tests with comments on validity;
 - o copies of any correspondence with supplier/manufacturer;
 - o photo of rating plate and other pictures of the product and its test set up.

Note: in all cases, the final decision on pass/fail is made by the relevant Authority.
- i) Take digital photograph(s) of, and label each image file recognisably and/or provide an index of images that is searchable by brand and model number:
 - o each product installed for the test and its insulation;
 - o when applicable, the insulation of any connected lines and other connections;
 - o the measurement set-up showing the correct installation of each product and the temperature measurement points;
- j) Store each product securely until the test report is accepted by PROSAFE. 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).
- k) Host a physical or a remote/virtual meeting of EEPLIANT3 team members/participants/experts at or near the lab to discuss the results, the test reports and experience of the testing process. 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. One meeting will be held soon after completion of the first batch of tests and may be requested

after the second (or third) batch. It would be helpful for full understanding, if necessary, to include a visit to the test chamber with an example product. This could involve up to 12 visitors.

- l) Provide an overall final report on the testing process for all products to include:
- o 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;
 - o Collated set of observations on any difficulties or queries with the test standard process or regulation;
 - o Notes of any suggestions by the lab for improvement of the testing process, test standard and regulation;
 - o Collated observations regarding circumvention and any recommendations on any known loopholes or other weaknesses in test standards or regulations;
 - o Confirmation of which product(s) remain held in storage and any time or space restriction(s) on that storage. Also summary of disposal routes used for other units;
 - o Annex including all individual product test reports.

Other requirements / assumptions

The tender should also demonstrate ability to meet the following requirements. Some of these are assumptions and if any change, the impact will be discussed in good faith with favoured bidders to agree a resolution before a contract is placed:

- a) Quantity: The agreement foresees the testing of between 10 and 40 water heaters and/or heat pumps water heaters and/or storage tanks, tested in up to three batches (or four batches if number approaches 40 products) between April 2021 and December 2021. This timeline may change and any significant implications of changes to the timeline (e.g. of up to 3 months advance or delay) should be noted in the tender. The final number of products to be tested per contract depends 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 some cases, three identical products may be tested in the same batch. Any cost savings in this case should be noted in the tender costing.
- c) Compliance opinion: The purpose of the testing is so that the Market Surveillance Authority can decide whether a particular product complies with the applicable energy label 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.
- d) 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 PROSAFE) must be made by the lab. Products remain the property of PROSAFE or the authority providing them throughout, unless released for disposal.



- e) **Storage:** Products must be securely stored by the lab between their delivery to the lab (or an agreed facility) through testing and until collection by PROSAFE or permission is given by PROSAFE 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. PROSAFE 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 4 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).
- f) **Disposal or return:** Many products will be returned to suppliers, but some product(s) may be released for disposal by the lab after completion of testing. We request that this is done in a socially responsible way such as through donation to a charity or worthy local cause, or at very least that the units are not wasted (resource efficiency). Confirmation of disposal and route will be required as part of the final report. Proposals are invited on this and may be used in the assessment in the case of equivalent bids.
- g) The contract will operate under Dutch law.

6. Financial Proposal Requirements

PROSAFE is VAT registered as taxable person established in Belgium with VAT number BE 0809.226.854. All invoices shall mention the BE VAT number and **be issued with zero VAT**, making reference to the reverse charge mechanism according to Articles 44 and 196 of the VAT Directive 112/2006.

Terms of offer must be valid for acceptance (or negotiation) for at least 3 months from submission.

Invoicing will be upon completion of each batch of testing.

In order for pricing of tenders to be relatively simple whilst allowing EEPLIANT3 to set up cost-efficient and best value for money contract(s) according to its testing demands, under this Call for Tenders and Tender specifications, 'Testing service' means the following – so that the costs for support functions are distributed across the products tested:

- Planning of testing programme;
- Receipt of products and storage until test;
- Storage after test until disposal or end of contract (see assumptions above regarding this);
- Images of products;
- Testing of each product as specified. Any significant differences in the price of testing to the different standards should be explained in the proposal and if necessary costed separately;
- Standard report as agreed but based on that in the harmonised standard (or standard named in the transition methods);
- Separate report on circumvention checks, compliance recommendation etc. as described in requirements section above;
- Meeting(s) including virtual meetings to discuss results as per requirements above;
- Final report.

The tenderer is requested to quote prices in the following format:

Item	Price (€) with zero-rated VAT	Comment
Testing service if 10 products are tested (one batch)	[€ x] per product	Prices may be split by product type and/or by parameter and/ or by standard if necessary. Price could be presented as percentage discount(s), if preferred.
Testing service if 11 to 20 products are tested (2 batches)	[€ x] per product	
Testing service if 21 to 30 products are tested (3 batches)	[€ x] per product	
Testing service if 31 to 40 products are tested (4 batches)	[€ x] per product	
Discount offered for 3 identical products in one batch	[€ x] reduction on testing service per trio of identical products	Discount may be split by product type if necessary
Cost for disposal of products	[€ x] per product	Note any caveats or variation by type, number etc.

7. Tender documentation

The tender should comprise:

- Complete tender documentation that shows proof that it fulfils the exclusion and qualifying criteria and presents its ability to meet the requirements.
- Brief overview of your organisation.
- Signed Declaration of Honour sent in original with blue ink hand-written signature by post.
- Section confirming compliance with qualifying criteria which is headed 'Qualifying Criteria' and has sub-headings numbered as per section 3 of this specification (yes/no with explanatory sentence or short statement (if necessary) on each).
- Section confirming your understanding and acceptance of the Scope, Test Standards, Regulations, Required Services and Other Requirements / Assumptions. With explanatory sentence / short statement on items if necessary (number sub-sections as per section 4). Observations or comment on these are welcome in a short additional section, but the costing must be provided in line with the requirements. In particular, we expect products to be tested according to the state of the art, but different Standards' versions may be used by manufacturers: this implies that the lab is able to point and report on the differences between standards.
- Section addressing the Assessment Questions as below, with sub-sections labelled as per the corresponding question letters (A, B, C etc).
- Financial proposal as per the table(s) in section 6 of this Specification. For fair assessment, please provide an offer for services as described in this specification.
- Section offering any additional information or observations on the proposed testing programme or price that may be relevant to planning and evaluation of offers.

Assessment questions



General questions applicable:

- A. **Team:** Please describe the staff/team who will carry out the work (number, individual experience, qualifications, involvement in development of test standards, technical product design consulting etc). Include a short summary CV of the lead technical expert(s).
- B. **Management:** Please describe briefly how your organisation ensures that the systems that resulted in lab accreditation are implemented and maintained in daily work. Give a couple of examples of specific management practice that help to achieve this.
- C. **Round robin:** Please describe any experience of participation in round-robin testing.
- D. **Cooperation:** Please indicate your experience of sharing experiences with other labs, cooperation, jointly developing good practice etc¹ - note that this aspect is desirable but not essential to success of the tender. This is especially relevant to prepare for the foreseen standard for domestic products. Note any areas for which commercial confidentiality may restrict sharing.
- E. **Storage:** Please indicate how you propose to store the products securely and if restrictions on quantity or time apply.
- F. **Testing experience.** Please describe:
 - i. The experience of your team (collectively) of carrying out water heaters, heat pump water heaters and storage tanks testing to the relevant standard(s) and compliance with regulations (quantity of tests to the relevant standard(s) in the past 5 years). Please provide a few images of each product type set up for test in your test room (anonymised as necessary), showing, e.g. the test set-up with the temperature measuring points for storage tanks, or the temperature of the heat source for heat-pump models.
 - ii. The experience you have with testing for Market Surveillance Authorities.
- G. Please indicate if you have recent customer references that could be followed up as part of the assessment.
- H. **Technical experience:** Please describe any technical experience of the team regarding interpretation of test results to infer behaviour of the product and its control system or development of standards. For example, any experience of applying knowledge to product development, development of test methodologies (which TC/SC and WG), screening for circumvention etc.
- I. **Optimising throughput:** What are your proposals on how to manage and optimise throughput capacity over your preferred phases of testing over the indicated period? Please indicate:
 - i. How your staff and assets can be used to optimise throughput, given the staff resources, size and number of thermal chamber(s) and other equipment and measuring equipment available to your lab.

¹ Although EEPLIANT3 cannot fund or coordinate a round robin test, it would view positively a coordination between labs to learn from these tests through sharing information and experiences.

- ii. The maximum number of water heaters, heat-pump water heaters and storage tanks tests that can be ongoing at the same time (i.e. over the same day(s) of test). Note that this can exclude the physical process of set-up, which does not need to occur in parallel; and it should only assume use of resources that can be made available for this work (i.e. excluding staff or assets that are committed to other contracts during the required period).
 - iii. Approximately how many products of a mix of types can be processed per week or per month; note any caveats on this and how long is needed between completion of one test and start of the next test set-up; and between end of a test and delivery of the test report.
 - iv. If there is a maximum number of products total or per period that you would wish to impose or any other restrictions on capacity that PROSAFE should bear in mind for planning. These will not necessarily count against your bid and could help it if you indicate how they can be managed.
 - v. Any significant implications of changes to the timeline (up to 3-month delay or some acceleration).
- J. Circumvention: Please indicate how your team would screen for circumvention during the test of any given product. Consider what types of behaviour or design aspects might indicate circumvention. Proposals may be considered at a later stage for any additional test(s) or variations of the test method that could provide evidence of circumvention.
- K. Reports: Please provide a copy of your proposed standard reporting template and an example of a standard report from a previous test (anonymised/redacted as necessary).
- L. Disposal: Please indicate how you propose to dispose of products responsibly or how you can support their return to different locations.

8. Questions about this specification

Any questions of clarification or other queries about the tender requirements or specification must be submitted in writing to eepliant3@prosafe.org AND info@prosafe.org, and copied to Sophie.attali@prosafe.org with the subject header 'URGENT: Question for EEPLIANT3 WP9 Tender'. Verbally addressed questions cannot be answered, in fairness to all bidders.

Questions must be received by Monday 15 March 2021, 17:00 CET.

Anonymised question(s) and response(s) will be circulated to bidders who registered their interest and posted on the EEPLIANT website: <http://eepliant.eu/index.php/news>.

9. Tender and contract timeline

1. Tender published on EEPLIANT3 and PROSAFE websites on Wednesday 24 February 2021.
2. Deadline for submission of questions about the specifications: Monday 15 March 2021, 17:00 CET.
3. Deadline for submission of tenders: Monday 29 March 2021, 17:00 CET.

4. Tenders must be sent to the offices of PROSAFE in hardcopy (Avenue des Arts/Kunstlaan 41, 2nd floor, B-1040 Brussels, Belgium) and via email to eepliant3@prosafe.org and info@prosafe.org with the subject header 'EEPLIANT3 WP9 Tender' and copied to the Work Package Facilitator: Sophie Attali at Sophie.attali@prosafe.org. Hardcopies must be received at latest by Friday 2 April - stamp date being the proof that they were sent on Monday 29 March 2021.

Tenders received after the deadline cannot be assessed.

5. PROSAFE aims to notify bidders that failed the procedure shortly after. They will be granted 5 working days to request clarifications or appeal the decision by email.
6. PROSAFE will analyse the appeal and provide a final decision within a week from the moment the appeal was launched.
7. PROSAFE will inform successful bidders at latest by end of April.
8. Clarification of bid details and implementation options with preferred bidders during the first half of April 2021.
9. Potential lab visits as part of the pre-contractual assessment process to be held in mid-April 2021 by mutual arrangement, if need be and if possible, in the context of the Covid-19 pandemic.
10. Contracts are expected to be signed at latest by mid May 2021.
11. Testing commences May 2021 to December 2021.

10. Assessment of tenders

The selection process will be as follows:

1. Screening of tenders for compliance with the exclusion criteria (any non-compliant rejected);
2. Screening of tenders for compliance with the qualifying criteria (any non-compliant rejected).
3. Assessment of qualifying bids based on the assessment criteria below leading to selection of preferred bidders.
4. Preferred bidders contacted to arrange a lab visit, if allowed by the circumstances, and discussion of the testing plan.
5. Assessment of tenders based on bid documents and visit results.
6. Review of any qualifying bids taking into account most advantageous delivery and best value overall.
7. Final selection of bidders and decision on number of products to be tested and distribution between bidders.

The goal of the evaluation is to understand the ability of candidates to carry out the programme of work timely and to a high standard of quality, and to assess the quality and quantity of bidder's experience of similar work, for the organisation as a whole and for the named individuals.

The selection will be based on the following assessment criteria:

- 1) Technical capacity and quality:
 - o Each issue of Section 7 above (from A to L) will be awarded points (from 0 if not satisfactory to 3 if very satisfactory)
 - if they are covered

- regarding the clarity of the bid in responding to our needs
 - regarding the level of details provided
 - All issues have a weight of 1, except the following issues that have been assessed by Work Package 9 as more or less important in the weight of the assessment:
 - Participation in Round Robin projects and their description (issue C), and description of sharing experiences with other labs (issue D) have a weighting of 1,5.
 - Testing experience (issue Fi) has a weighting of 3.
 - Testing experience for MSAs (issue Fii) has a weighting of 2.
 - Technical experience (issue G) has a weighting of 2.
 - The plan to optimise throughputs (issue H.i.) has a weighting of 2 (whereas the next sub-issues H have a weighting of 1).
 - The plan for managing the disposal of products or their return to different locations has a weighting of 0,5.
- 2) Overall value for money.
- 3) Outcomes of visit to the lab as part of the assessment process (the visit may be virtual).

11. Standard terms and conditions for the contract

Please see the attached standard terms and conditions that will apply for the contract.

12. Further information

The contract will be signed under the Dutch law.

Further information regarding the task and the selection procedure can be obtained from the PROSAFE office:

Avenue des Arts/Kunstlaan 41, 2nd floor
B-1040 Brussels
Belgium

Email: eepliant3@prosafe.org / info@prosafe.org

or from the Work Package 9 Technical Facilitator, Mrs Sophie Attali

Email: Sophie.attali@prosafe.org

With best regards,

Ioana Sandu

Executive Director



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 PROSAFE (Product Safety)

Disclaimer

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