

Brussels, 13.07.2020

HARmonized **P**roducts **2018** JAHARP2018

Grant Agreement N° SI2.809078 Call for tender for test laboratories Recreational Craft

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 an important 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.

PROSAFE's main task is to coordinate Joint Market Surveillance Actions. Each Joint Action comprises a number of work packages that target specific product groups.

In 2019, PROSAFE became the Project Coordinator for the Joint Market Surveillance Action JAHARP18. The Action started in November 2019 and is currently scheduled to end in January 2022. The Joint Action comprises 3 Work Packages, one of which addresses Recreational Craft - <http://prosafe.org/index.php/joint-actions/harmonised-products/jaharp2018>.

The Joint Action identifies a number of roles and responsibilities:

- A Project/Activity Leader for the Joint Action has been appointed, responsible for the performance and reporting of the Joint Action and the coordination of the Work Packages;
- A representative of one of the participating Member State authorities has been selected as a Work Package Leader for the Recreational Craft Work Package (WP);
- An external consultant/expert, Mr Ian Fraser, has been selected as WP Technical Facilitator, supporting the WP Leader of the Recreational Craft WP in day-to-day work;
- PROSAFE is the Project Coordinator, responsible for the general and financial management and coordination of the Joint Action;
- The financial and project administration is handled by PROSAFE.

2. The scope of the tender

An important part of the Joint Action is the testing of a number of recreational craft in order to check safety and compliance with the requirements of the applicable EU legislation. The following categories of recreational craft will be sampled for testing:

- Inflatable craft (other than rigid hull inflatable craft),
- Small open craft,

with a hull length of between 2.5 m and 6 m.



The purpose of the testing is to check the safety of the products concerned and their conformity with the applicable essential requirements for the design and construction of recreational craft set out in Annex I, A to Directive 2013/53/EU. (Engine exhaust and noise emissions will not be covered).

The testing will be carried out according to the specifications of the relevant harmonised standards. The testing may cover all of the tests foreseen in those standards or a more limited test programme, comprising the tests most relevant for safety. The test programme to be carried out will be determined after discussion with the selected laboratory.

The task comprises the following services:

- Testing of recreational craft. It is initially planned to sample 30 models of recreational craft, however the exact number of models to be tested will be determined in light of the test programme and the cost of testing;
- Participation in an initial meeting of the project group in order to discuss the test programme. This may be a physical or an online meeting.
- Participation in a meeting of the project group to present and discuss the outcome of the testing and the risks associated with the non-conformities detected. This meeting may be hosted by the selected laboratory;
- Responding to enquiries from the participating authorities about the outcome of the testing and the observations made by economic operators.

Travel costs to meetings will be reimbursed according to the rates applied by the European Commission.

The samples will be taken, on the market of their territory, by each of the 7 Market Surveillance Authorities (MSAs) participating in the Work Package:

1.	Bulgaria	SAMTS	Bulgarian State Agency for Metrological and Technical Surveillance
2.	Finland	TRAFI	Finnish Transport Safety Agency
3.	France	DGITM	Ministry of Ecological and Inclusive Transition - Directorate for Infrastructure, Transport and the Sea
4.	Latvia	CRPC	Consumer Rights Protection Centre
5.	Malta	MCCAA	Malta Competition and Consumer Affairs Authority
6.	Portugal	ASAE	Food and Economic Safety Authority
7.	Sweden	STA	Swedish Transport Authority

The samples will then be sent to the laboratory by the market surveillance authorities. In some cases, it may be arranged for the samples to be sent directly to the laboratory by the manufacturer, importer or distributor of the product concerned.

The participating authorities themselves will check the conformity of the accompanying documents (EU Declaration of Conformity; Instructions and safety information in the owner's manual).

The testing is expected to be carried out during the first half of 2021. This timeline may change in light of the progress of the Work Package.

PROSAFE may decide to assign the testing to more than one laboratory.



3. Requirements, tenderer

The main requirements for undertaking the assignment are:

- Ability to carry out the required tests;
- Accreditation according to EN ISO/IEC 17025:2017 for the required tests or equivalent proof of competency;
- Full independence from manufacturers, importers, distributors or other economic operators in the market for recreational craft;
- Mastery of the English language; preferably good knowledge of other official European languages.

The following management requirements apply:

- It is the responsibility of the laboratory to carry out its testing and calibration activities in such a way as to meet the respective requirements of the tender specifications;
- The laboratory shall have managerial and technical personnel who have the authority and resources needed to carry out their duties;
- The laboratory shall provide adequate supervision of testing and calibration staff by persons familiar with methods and procedures, the purpose of each test and/or calibration and with the assessment of the test or calibration results;
- The laboratory shall establish and maintain procedures for the review of requests. The policies and procedures for these reviews leading to a contract for testing and/or calibration shall ensure that the laboratory has the capability and resources to meet the requirements;
- Any differences between the request and the contract shall be resolved before any work commences;
- The Project Coordinator (PROSAFE), the WP Facilitator and WP Leader shall be informed immediately of any deviation from the contract;
- The laboratory shall establish and maintain procedures for identification, collection, indexing, access, filing, storage, maintenance and disposal of quality and technical records;
- The laboratory shall have procedures to protect and backup records stored electronically and to prevent unauthorized access to or amendment of these records.

The following requirements regarding the technical skills apply:

- The laboratory management shall ensure the competence of all who operate specific equipment, perform test and/or calibrations, evaluate results, and sign test reports and certificates. When using staff undergoing training, appropriate supervision shall be provided. Personnel performing specific tasks shall be qualified based on appropriate education, training, experience and/or demonstrated skills, as required;
- Laboratory facilities for testing and/or calibration, including but not limited to energy sources, lighting and environmental conditions, shall be such as to facilitate correct performance of the tests and/or calibrations;
- 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 before being put into service;

- The laboratory shall have due experience of participation in standardisation of recreational craft and of participation in the Recreational Sectoral Group of Notified Bodies;
- The laboratory shall have experience in testing recreational craft according to the applicable essential design and construction requirements and the specifications of the relevant harmonised standards, and in interpreting test results.

The following requirements apply to subcontracting:

- PROSAFE does not accept that the selected laboratory subcontracts the testing services;
- If the need to subcontract becomes apparent only after the work has been commissioned, the laboratory must ask for PROSAFE's Executive Director's explicit written permission before such a decision is adopted.

Furthermore, the laboratory must be located within the territory of the European Economic Area (EEA).

4. Requirements, quotations

The tenderer is requested to quote prices (with zero VAT, see Note 2 below) per tested model/unit, for the following services:

- 1) Testing of inflatable craft (other than rigid hull inflatable craft);
- 2) Testing of small open craft;
- 3) Prepare and submit comprehensive reports for each tested model in accordance with the highest appropriate standards of quality, integrity, accuracy and timely delivery.

The price per model shall cover:

- Participation in the meetings mentioned in Section 2;
- **Comprehensive testing according to all the applicable requirements of the relevant harmonised standards relating to design and construction requirements (with the exception of checks on the instructions and safety information);**
- Preparation of a test report for each model tested, including the results of the tests carried out, the values measured and photos of all non-conformities;
- Preparation of a summary report on all the tests carried out;
- Responding to enquiries from the participating authorities about the outcome of the testing.

The quotation shall include an indication of the discounts proposed for quantity.

Note 1: The prices in Euros quoted for comprehensive testing according to the harmonised standards will be taken into account during the selection process. If it is decided to carry out a more limited test programme (see section 2), the final cost of testing will be adjusted accordingly.

Note 2: Stichting PROSAFE is VAT registered as taxable person established in Belgium as from 01 January 2020. PROSAFE's VAT number is BE 0809.226.854. From 1 January 2020 onwards, PROSAFE applies the reverse charge mechanism in accordance with Articles 44 and 196 of the VAT Directive 112/2006.

The tenderer shall explain where the testing will take place and whether the testing will be conducted in a different location from that of the company submitting the bid.

The tenderer shall specify the time needed to carry out the required testing and deliver the test report for a model of recreational craft, as from receipt of the sample.

The tenderer shall describe his qualifications and experience in line with the requirements mentioned in section 3 and provide any other information useful for the assessment of his proposal.

5. Deadline

Quotations shall be sent to the offices of PROSAFE in hard copy (Avenue des Arts/Kunstlaan 41, 2nd floor, B-1040 Brussels, Belgium) and by email to info@prosafa.org

The email shall be copied to the Work Package Facilitator, Mr Ian FRASER : ian.fraser@prosafa.org.

Quotations shall be received at PROSAFE **no later than 21.08.2020 at 17 h 00** (Time Zone: UTC + 2).
Quotations received after the deadline will be not be assessed.

6. Questions about this specification

Any questions of clarification or other queries about the tender requirements or specification must be submitted in writing to info@prosafa.org addressed to Work Package Facilitator, Mr Ian FRASER : ian.fraser@prosafa.org with the subject header 'URGENT: Question for JAHARP 2018 RCD Tender'. Only questions submitted in this way can be answered, in fairness to all bidders, if they have been submitted no later than **10.08.2020, at 17 h 00** (Time zone: UTC + 2).

7. Selection process

The selection will be based on the following criteria:

- Ability to carry out the required testing;
- Qualifications and experience:
 - Relevant accreditation or equivalent proof of competency,
 - Experience of testing recreational craft,
 - Experience of participation in standardisation of recreational craft,
 - Experience of participation in the Recreational Sectoral Group of Notified Bodies;
 - Previous experience of cooperation with market surveillance authorities;
- Ability to comply with PROSAFE's General Conditions for Tender;
- Delivery time;
- Prices;
- Value for money;
- PROSAFE's overall evaluation/assessment of the tenderer's ability to undertake the job.

During the selection process, representatives of PROSAFE and the participating authorities may visit candidate laboratories.

8. Assessment of tenders and selection of successful laboratory

As part of the selection procedure the following steps will be followed:

1. Assessment of qualifying bids based on the requirements listed at points 3 and 4 and the selection criteria listed at point 7, leading to a selection of preferred bidders. If the assessment results in a draw further questions will be asked.
2. Both successful and unsuccessful candidates will be informed immediately via email.



Candidates can appeal the decision within 10 working days from the moment they received the email about the result of the selection.

PROSAFE will analyse the appeal and provide a final decision within a week from the moment the appeal was launched.

9. Further information

The contract will be signed under the law of Belgium.

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: info@prosafa.org

Phone: +32 2 80 80 996/-97

or from the Work Package Facilitator, Mr Ian FRASER:

Email: ian.fraser@prosafa.org

Phone: +33 2 97 65 95 93

With best regards,



Ioana Sandu

Executive Director

