

Joint Action on **HAR**monized Products 2020 JAHARP2020-2

Grant Agreement No. GA SI2.848980

Work Package 3

Call for Tender for testing non-refillable helium cylinders

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1. Background and scope

JAHARP2020-2 is a Joint Market Surveillance Action co-funded by the EU. It comprises 3 Work Packages (WP). WP3 concerns the market surveillance of non-refillable helium cylinders.

The Joint Action is coordinated by PROSAFE which is an international non-governmental organisation established in 1991 by market surveillance officers from various countries throughout Europe. The main aim of PROSAFE is to contribute to the safety of products and services by promoting best practices in market surveillance. In 2020, PROSAFE was appointed as Coordinator of JAHARP2020-2.

The Joint Action runs between May 2021 and May 2023 (24 months duration).

JAHARP2020-2 includes the following roles and responsibilities:

- 1) PROSAFE is responsible for the overall performance and management of the Joint Action and for reporting to the European Commission;
- 2) WP3 is conducted by a Project Group made up of representatives of the participating Market Surveillance Authorities from Croatia, the Czech Republic, Latvia, Luxembourg and Slovenia;
- 3) The representative of the Latvian Market Surveillance Authority, Ms Grenada Sofija DEMAKINA, is the WP3 Leader;
- 4) The WP3 Leader is supported by a PROSAFE Facilitator, Ian Fraser, who is responsible for the day-to-day organisation of the WP.

An important part of JAHARP2020-2 WP 3 is the testing of refillable helium cylinders in order to check their safety and compliance with the requirements of the Transportable Pressure Equipment Directive 2010/35/EU.

PROSAFE may contract more than one body to carry out the testing.

The contract will operate under Dutch law.

2. Requested services

Tenders are expected to provide the following services:

a) Prior to testing

- 1) Nominate a contact person, having management authority, for the duration of the joint action, responsible for liaison with the project team and for ensuring the correct execution of the tasks;
- 2) Make appropriate arrangements for the reception, identification, storage and disposal of the test samples;

- 3) Participate in a meeting of the project group in order to agree on the test programme. This may be a physical or an online meeting.

b) Testing and reporting

- 4) Test the non-refillable helium cylinders according to the agreed test programme. It is planned to test 36 models of non-refillable helium cylinders, but this number may be modified in light of the number of samples required and the related costs;
- 5) Issue a test report, in English, for each model tested, setting out the results of the tests carried out and the values measured, including full photographic records of all non-conformities;
- 6) Draw up a summary report, in English, listing the outcome of all the tests carried out. This report shall be periodically updated during the period of testing;

c) Following the testing

- 7) Participate in a meeting of the Project Group to present and discuss the outcome of the tests and the risks associated with the non-conformities detected. This meeting may be hosted by the tenderer;
- 8) Respond to enquiries from the participating authorities about the outcome of the tests and the observations made by economic operators;
- 9) Dispose of the test samples at the end of the joint action in a manner agreed with PROSAFE;
- 10) Establish a short end-of-contract report, summarising the work done and explaining the measures taken to dispose of the test samples.

3. Sampling

The samples will be taken, on the market of their territory, by each of the 5 Market Surveillance Authorities participating in WP3 :

| | | |
|----------------|-------|--|
| Croatia | DRIH | State Inspectorate of Republic of Croatia |
| Czech Republic | CTI | Czech Trade Inspection Authority |
| Latvia | CRPC | Consumer Rights Protection Centre |
| Luxembourg | ILNAS | Luxembourg Institute for Standardisation, Accreditation, Safety and Quality of Products and Services |
| Slovenia | IRSI | The Inspectorate of the Republic of Slovenia for Infrastructure |

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

The market surveillance authorities will request the relevant technical documentation from the manufacturers or importers of the products sampled. Where possible, the relevant documentation will be communicated to the contractor before the testing.

4. Test programme, number of samples, delivery time

a) Test programme

The tenderer shall propose a test programme based on the specifications of the relevant harmonised standard EN ISO 11118.

The objective of the test programme is to enable the verification of as many aspects as possible of non-refillable helium cylinders and, in particular, of the safety-critical aspects, while requiring a minimum number of test samples.

b) Number of test samples

The tenderer shall specify the number of samples required for the execution of the proposed test programme.

c) Delivery time

The tenderer shall specify the time needed to carry out the testing and deliver the test report for each model of non-refillable helium cylinder, as from receipt of the necessary samples.

5. Exclusion criteria

Tenderers shall complete and sign in original handwriting a Declaration of Honour attesting that they are not in any of the situations giving rise to exclusion from the procedure. The exclusion criteria are listed in the model Declaration of Honour provided with the call for tender in Appendix 2. Tenderers shall use this model in its entirety.

6. Qualifying criteria

The following minimum qualifying criteria must be met by a tenderer in order for their bid to be considered :

- 1) Ability to carry out the tasks described in Section 2;
- 2) Relevant accreditation or equivalent proof of competency;
- 3) Independence from manufacturers, importers, distributors or other economic operators in the field of transportable pressure equipment;
- 4) Agreement to comply with the PROSAFE General Conditions for Tender (Appendix 1);
- 5) Mastery of the English language;
- 6) Test facilities located within the territory of the EEA.

7. Financial Offer

The financial offer must remain valid for at least 3 months from the submission of the tender.

a) Testing and reporting

The tenderer shall quote a price (in Euros, without VAT) for each model tested according to the proposed test programme.

The price per model shall cover:

- 1) Reception and storage of the test samples;
- 2) Execution of the proposed test programme;
- 3) Preparation of the test report;
- 4) Preparation of the summary report;
- 5) Responding to enquiries from the participating authorities about the outcome of the testing;
- 6) Preparation of the short end of contract report.

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

In addition to the price per model, the tenderer shall quote a price for each test included in the proposed test programme.

The prices quoted by the tenderer will be taken into account during the selection process. If the agreed test programme differs from the test programme proposed by the tenderer, the final cost of testing will be adjusted accordingly.



b) Meeting at the tenderer's premises

The tenderer shall quote a price for the organisation of a 1 day meeting for about 8 persons on the outcome of the testing (see Section 2 (7)) and an hourly rate for the participation of representatives of the tenderer in the meeting.

c) Disposal of the test samples

The tenderer shall quote a price per model for the disposal of the test samples at the end of the contract.

Travel costs to meetings will be reimbursed according to the rates applied by the European Commission and should not therefore be included in the financial offer.

A model price list to be used for the quotation of prices is provided in Appendix 3.

8. Tender Documentation

The tender shall include the following contents :

a) Declaration of Honour

- 1) The completed and signed Declaration of Honour on the Exclusion criteria referred to in Section 5 (Appendix 2);

b) Technical offer

- 2) The name and CV of the contact person referred to in Section 2 (a);
- 3) An explanation of how the tenderer is able to provide the services set out in Section 2;
- 4) The proposed test programme, specification of the number of samples required and delivery times, as set out in Section 4;
- 5) An explanation of how the tenderer complies with the Qualifying criteria set out in Section 6;
- 6) A Precise account of the tenderer's experience of testing transportable pressure equipment during the last 5 years.

c) Financial offer

- 7) The completed model price list (Appendix 3)

The tender shall be accompanied by all relevant supporting documents.

In order to ensure that the tender documentation is complete, a checklist for the contents of the tender is provided in Appendix 4, to be completed and sent with the tender.

9. Award criteria

Tenders will be assessed on the following criteria with the aim of achieving best value for money :

a) Technical offer

The following criteria will count for 70% of the assessment, in order of importance:

- I. Relevance and quality of the proposed test programme;
- II. Ability to carry out the required tasks;
- III. Experience of testing transportable pressure equipment during the past 5 years;
- IV. Delivery times.

b) Financial offer

This criterion will count for 30% of the assessment of the tender:

- Prices as listed in the model price list.

10. Selection procedure

Tenders will be assessed as follows:

- 1) Tenders will be screened for compliance with the Exclusion and Qualification criteria set out in Sections 5 and 6;
- 2) Tenders found eligible after step 1) will be assessed against the award criteria set out in Section 9;
- 3) PROSAFE may visit the tenderer's test facilities before the selection is finalised;
- 4) All tenderers will be informed about the results of the selection by email.

Candidates can appeal the selection decision within 10 working days from the moment they received the email about the result. PROSAFE will analyse the appeal and provide a final decision within a week from the moment the appeal was launched.

11. Questions about this call for tender

Any questions about this call for tender must be submitted by e-mail to harp2020@prosafe.org and also addressed to the WP Facilitator, Mr Ian FRASER : ianfraser.safety@gmail.com with the subject header 'Question for JAHARP2020-2 WP3 Call for Tender'.

Such questions must be received, at the latest, by 1 June 2022 at 17 h 00 CEST.

Anonymised question(s) and response(s) will be circulated to interested parties and posted on the PROSAFE website: <https://www.prosafe.org/index.php/en/>

12. Deadline for submission of tenders

Tenders shall be sent as soon as possible to the offices of PROSAFE in hard copy (Avenue des Arts 41, 2nd floor, B-1040 Brussels, Belgium) and by e-mail to harp2020@prosafe.org

The e-mail shall be copied to the WP Facilitator, Mr Ian FRASER ianfraser.safety@gmail.com

Tenders shall be delivered to PROSAFE no later than 13 June 2022 at 17 h 00 CEST. Tenders received after that deadline will not be assessed.

13. Protection of personal data

If processing a tender involves the recording and processing of personal and sensitive data (such as name, address, email, quotations, etc.), such data will be processed pursuant to Regulation (EU) 2016/679 on data protection and privacy in the European Union and the European Economic Area. Any personal or sensitive data provided in connection to this Call will be processed by PROSAFE, which also acts as the data controller.

With best regards,

Ioana Sandu

Executive Director



Appendices

[Appendix 1](#) - PROSAFE General conditions of Tender

[Appendix 2](#) - Declaration of Honour on Exclusion criteria

[Appendix 3](#) - Model price list

[Appendix 4](#) - Checklist for the contents of the tender