

# Joint Action on **HAR**monized Products 2021 JAHARP2021-05

## Grant Agreement No. JA2021-05

### Call for Tender for Test Laboratories

#### Radio Equipment: WLAN 5 GHz

Published on 30/05/2023

## 1. Background and Scope

Stichting PROSAFE is an international non-governmental organisation established as a foundation in the Netherlands 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.

One of PROSAFE's activities is to set up and coordinate Joint Market Surveillance Actions with the support of EU funding, such as JAHARP2021-05. The Joint Action runs between August 2022 and July 2024 (24 months duration) and addresses radio equipment that is capable of operating in the 5GHz frequency band. JAHARP2021-05 includes the following roles and responsibilities:

1. One Member State representative is appointed as Project Leader. This is Mr Lucio Cocciantelli from OFCOM (Swiss Federal Office of Communications) in Switzerland.
2. A selected Project Facilitator supports the Project Leader and is responsible for facilitating the technical aspects of the project. This is Mr Jonathan Wood from PROSAFE.
3. PROSAFE represented by Mrs Ioana Sandu, Executive Director, is the Project Coordinator, responsible for the project general and financial management and coordination of the Joint Action.

## 2. Overview of the Tender

An important part of JAHARP2021-05 is the testing of products to check compliance with the requirements of the Radio Equipment Directive (RED) 2014/53/EU. This requires testing of products to the appropriate European standard in accredited test labs. The products to be tested are sampled, bought, and delivered to the selected lab(s) by the JAHARP2021-5 WLAN 5 GHz work group concerned.

Bids are invited from individual labs only. However, for operational, capacity and technical reasons and depending on the circumstances, the WP may appoint one or more labs to carry out the test programme.

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 is met.

**Compliant bids will be entered into a shortlist for further joint evaluation on the assessment criteria and financial offer to determine the best value for money.**

### 3. Requested Services

#### *Relevant EU legislation*

The aim of the test is to verify if selected WLAN 5 GHz products comply to the following pieces of EU legislation:

- Commission DIRECTIVE 2014/53/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (RED)

#### *Definition of the scope of products:*

Products to be tested will include any radio equipment that is capable of operating in the 5 GHz frequency band and which falls under the scope of both the Radio Equipment Directive (RED) 2014/53/EU and the harmonised standard EN 301 893 - V2.1.1 - 5 GHz RLAN

#### *Relevant test standard/procedure:*

These will be the latest harmonised test standard (as published in the Official Journal of the European Union - OJEU):

- EN 301 893 V2.1.1 (2017-05) 5 GHz RLAN; covering the essential requirements of article 3.2 of Directive 2014/53/EU

#### *Requested services*

The testing will be carried out according to the specifications of the relevant harmonised standards (see Appendix I for further details).

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

- a) Potentially, host a pre-testing visit for JAHARP2021-05 participants/staff to the lab facility, as part of the final stage of the 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 JAHARP2021-05. Any change of appointed contact will be by agreement with the JAHARP2021-05 team. Work with JAHARP2021-05 staff by email/phone to plan the preparation, testing, and reporting programme to achieve a workable and smooth process.
- c) Take digital identification photographs of each product before testing that show all main features and functionality. 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 JAHARP2021-05 project 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, etc. This is to help maximise benefits of the Action and to inform the project team efforts to positively influence the future development of test methods, 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 applicable EU legislation and harmonised standards, in order to verify and demonstrate compliance with the specific requirements relevant to the product type.
- f) Issue an individual report for each tested product in accordance with the highest appropriate standards of quality, integrity, accuracy, and timely delivery, and the recommended/agreed reporting format. They must indicate the measured value for each property, not only “failed/passed” and must include uncertainty of measurement where applicable. Reports should also include photos of the product and its set-up.

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

- g) Store each product securely until return or disposal (subject to PROSAFE’s approval).
- h) Host a physical or a remote/virtual meeting of JAHARP2021-05 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 JAHARP2021-2, testing process, test standard, transitional methods and regulations. 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 10 visitors.
- i) Provide a comprehensive individual report for each model tested, and for each applicable piece of legislation (Radio Equipment Directive (RED) 2014/53/EU) that fits the needs and requirements of the participating Market Surveillance Authorities;
- j) Prepare a summary report, updated at regular intervals, on all the tests carried out and their results.

### *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 on a resolution before a contract is placed:

- a) Quantity: The agreement foresees the testing of **44 Radio Equipment products**. The period for testing will be discussed with the winning laboratory(ies) to start soon after the contract is completed. Specific periods of unavailability to test should be clearly mentioned in the tender offer.

The final number of products to be tested per contract may depend upon the overall price, overall capacity of labs, and the number of labs appointed. The final number and timing will be decided in discussion with the preferred bidder(s) before the placement of the contract(s).

- b) Compliance opinion: The purpose of the testing is so that the Market Surveillance Authority can decide whether a particular product complies with the applicable EU 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. 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.

The samples to be tested are expected to be taken from the market of their territory, by each of the 6 EU based Market Surveillance Authorities (MSAs) participating in the Work Package:

Lead	Switzerland	OFCOM	Federal Office of Communication
1	Latvia	CRPC	Consumer Rights Protection Centre
2	France	ANFR	Agence Nationale des Fréquences
3	Greece	EETT	Hellenic Telecommunications & Post Commission
4	Luxembourg	ILNAS	Luxembourg Institute for Standardisation, Accreditation, Safety and Quality of Products and Services
5	Netherlands	RDI	Rijksinspectie Digitale Infrastructuur
6	Slovenia	MIRS	Market Inspectorate of Republic of Slovenia

**Note:** Any changes in participation will not affect the implementation of the purchased services.

- e) Storage: Products must be securely stored by the lab between their delivery to the lab (or an agreed facility) throughout testing and until collection by PROSAFE, return, or until 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. The 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 and beyond the project duration for up to 12 months should be included in the quoted price.
- 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 (for products found to be compliant), or at the 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) Transition and handover details at the end of the contract: The tenderer must provide an adequate overview of the state of play at the end of the contract and must guarantee its cooperation for transition meetings and handing over the products and services developed under this contract, if needed, in a progressive, secured and orderly manner to PROSAFE.

The contract will operate under Dutch law.

## 4. Exclusion Criteria

Tenderers are excluded from participation in this tender procedure if:

- 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;
- they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;

- they have been guilty of grave professional misconduct;
- 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;
- 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;
- they have been convicted of an offence concerning Council Regulation (EU) 2022/394 of 9 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine;
- 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 of 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.

## 5. 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.

### 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 is required and should be maintained throughout the duration of the contract.

The scope of competence and management systems active at the lab shall fully comply with ISO/IEC 17025:2017 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 the 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, the 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 the WP Facilitator.

#### *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, and/or the European Commission will be permitted to witness any given test by prior arrangement, 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 the European Economic Area (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. It is expected that the team presented in the tender will be the one executing the services under the contract and will be effectively available when the contract begins. Changes in the composition of the team should be justified and should by no means alter the conditions based on which the evaluation of the tenders took place. Changes must not affect/compromise the capacity of the tenderer towards the performance of the contract.

#### *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 the capability and capacity to carry out the testing services without the need to subcontract any testing outside its own capacity. If a specific skill 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 harmonised standards for establishing compliance with relevant EU 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).

10. If allowed by the circumstances, ability and willingness to host a visit of project experts/participants to see test chambers and discuss details with technical staff as part of the final stage of the assessment process before awarding the contract(s).
11. Ability and willingness 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. If applicable, willingness to participate in discussions on test 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 on 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, return, or until permission is given by PROSAFE in writing for its disposal. Longer-term storage does not have to be at the lab. Storage could be required for 12 months or more to allow for the completion of any resultant court case.

#### *Keeping records of documents and reports*

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

#### *Confidentiality*

16. The laboratory 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 DG GROW, 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.

## 6. Technical Offer

Bidders shall demonstrate how they best comply with the aspects raised in the questions below. **Please note that each point needs to be treated clearly, one by one and well-marked so that the Evaluation Committee can easily trace your answer for each topic in the overall bid:**

- A. Team (ranking weight 5,00%): 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 Europass CV of the lead technical expert and of the test engineers that will be involved in the testing programme. The team presented should

be exactly the team conducting the service should the bidder win and the number of staff in the composition should be respected throughout the test programme.

If at a later stage a change in the staff is required, this has to be pre-approved by PROSAFE after having received the CV and the professional references of the new team member. Please note that changes in the composition of the team should be justified and should by no means alter the conditions based on which the evaluation of the tenders took place.

- B. Management (ranking weight 5,00%): Please describe briefly how your organisation ensures that the systems that resulted in laboratory accreditation are implemented and maintained in daily work. Give a couple of examples of specific management practices that help to achieve this.
- C. Storage (ranking weight 5,00%): Please indicate how you propose to store the products securely and if restrictions on quantity or time apply.
- D. Testing experience. Please describe:
  - i. The experience of your team (collectively) of carrying out radio equipment testing according to the specifications of the relevant harmonised standard (quantity of tests to the relevant harmonised standard or to similar international standard(s) in the past 5 years). Where experience to international standards is given the standards should be identified (ranking weight 15,00%).
  - ii. The experience you have with testing for European Market Surveillance Authorities (ranking weight 10,00%).
- E. Please indicate if you have recent customer references that could be followed up as part of the assessment (ranking weight 5,00%).
- F. Technical experience: Please describe any technical experience of the team regarding the interpretation of test results. For example, any experience of applying knowledge to product development, development of test methodologies, participation in standardisation committees, etc (ranking weight 12,50%).
- G. 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 testing equipment available to your lab (ranking weight 7,50%).
  - ii. The maximum number of tests for the products concerned that can be ongoing at the same time (i.e., over the same day(s) of the 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) (ranking weight 5,00%).
  - iii. Approximately how many products can be processed per week or month; note any caveats on this and how long is needed between the completion of one test and start of the next test set-up; and between the end of a test and delivery of the test report (ranking weight 5,00%).



- iv. If there is a maximum number of products total or per period that you would wish to impose or any other restrictions on the capacity that PROSAFE should bear in mind for planning. These will not necessarily count against your bid and could help if you indicate how they can be managed (ranking weight 5,00%).
  - v. Provision of a plan which details how the stated number of product tests will be guaranteed in the event of the laboratory undertaking multiple contracts at the same time (ranking weight 7,50%).
  - vi. Any significant implications of changes to the timeline (up to a 3-month delay or some acceleration) (ranking weight 5,00%).
- H. Test 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 - all product identification details to be removed, such as brand, country of origin, serial number, etc.) covered by the scope of this call for tender and for a product tested by the tenderer during the last five years (ranking weight 5,00%).
- I. Disposal: Please indicate how you propose to dispose of products responsibly or how you can support their return to different locations (ranking weight 2,50%).

## 7. Financial Offer

PROSAFE is VAT registered as a 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 the offer must be valid for acceptance (or negotiation) for at least 3 months from submission.

Invoicing will be discussed and agreed before the placement of the contract.

The tenderer is requested to quote prices per tested model/unit (VAT free) in the **Appendix I - Detailed Product testing requirements and Price list** (separate document to download).

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, indexing, and storage until test;
- Storage until and after testing (up until disposal or return subject to PROSAFE's permission);
- Images of products;
- Testing of each product as agreed. Any significant differences in the price of testing to the different standards should be explained in the proposal and if necessary, costed separately;
- Standard comprehensive report as agreed but based on that in the harmonised standard;
- Ad-hoc meeting(s) including virtual meetings to discuss results as per requirements above;
- Final report.

Therefore, the price per model shall cover:

- Comprehensive testing according to the applicable requirements of the relevant harmonised standards, and any additional/auxiliary technical assessment work;
- Preparation of a test report for each model tested, including the results of the tests, the values measured, and photos of all non-conformities;
- Preparation of a summary report, updated at regular intervals, on all the tests carried out;
- Participation in project-related meetings;
- Responding to enquiries from the JAHARP2021-05 team and the participating authorities about the outcome of the testing throughout the term of the contract;
- The hosting of a physical or remote meeting;
- Storage, return, and/or disposal of the products tested.

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

**Note 1:** The prices in EUR quoted for comprehensive testing according to the harmonised standard(s) will be taken into account during the selection process. If it is decided to carry out a more limited test programme (see Section 3), the final cost of testing will be adjusted accordingly.

**Note 2:** PROSAFE reserves the right to negotiate with one or more shortlisted tenderers before taking a decision on the placing of a contract. The offer shall remain valid until changes are agreed in writing.

## 8. Tender Documentation and Language

The tender documentation shall be in English and should comprise:

- 1) Document confirming your understanding and acceptance of the Requested Services with explanatory sentence/short statement on items if necessary (number sub-sections as per **Section 3**).
- 2) Signed Declaration of Honour sent in original with blue ink hand-written signature by post (reference **Section 4 and Appendix III**). If handwritten blue -ink, then the original must be attached and sent by post as well.
- 3) Document confirming compliance with qualifying criteria which is headed 'Qualifying Criteria' and has sub-headings numbered as per **Section 5** of this specification.

The tender should duly explain why and how they meet the qualification criteria and attach in Annex supporting documentation proving the information presented (e.g., proof of accreditation, stand-alone declaration that the tenderer accepts the PROSAFE terms and conditions, the absence of a conflict of interest, any other documents deemed necessary by the tenderer).

The tenderer should create one single pdf with all files for this part and if it is not possible to list the number of documents pertaining to this part in the checklist (see Appendix II uploaded separately).

- 4) Technical Offer addressing the aspects raised in **Section 6**, with sub-headings labelled as per the corresponding question letters (A, B, C, etc.) including all the supporting evidence in Annex to this document (e.g., CVs, sample of a test report anonymised for an already tested product covered by the scope of this call for tender, etc.).

The tenderer should create one single pdf with all files for this part and if it is not possible to list the number of documents pertaining to this part in the checklist (see Appendix II uploaded separately).

- 5) Financial Offer as per the table(s) in Appendix I to these tender specifications - see separately uploaded template. For fair assessment, please provide an offer in EUR for all services as described in **Section 6** of this specifications.

The financial Offer should also include any additional information or observations on the proposed testing programme or price that may be relevant to planning and evaluation of offers.

- 6) A copy of your proposed standard reporting template and an example of a standard report from a previous test (anonymised/redacted as necessary - all product identification details to be removed, such as brand, country of origin, serial number, etc.) covered by the scope of this call for tender, a product tested by the tenderer during the last five years.
- 7) Filled in and signed Checklist as presented in Appendix II.

## 9. Questions about these Specification

Any questions of clarification or other queries about the tender requirements or specification must be submitted in writing to [ioana@prosafe.org](mailto:ioana@prosafe.org) AND [mario@prosafe.org](mailto:mario@prosafe.org), and copied to [jonathan.wood@tenvic.com](mailto:jonathan.wood@tenvic.com) with the subject header 'URGENT: Question for JAHARP2021-05 WLAN 5 GHz Tender'. Verbally addressed questions will not be answered, in fairness to all bidders.

Questions must be received by **26 June 2023**.

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

## 10. Timetable and deadlines

1. Tender published on PROSAFE websites on 30/05/2023.
2. Deadline for submission of questions about the specifications: 26 June 2023, 17 h 00 CET.
3. **Deadline for submission of tenders: 3 July 2023, 17 h 00 CET.**

Tenders must be sent to the offices of PROSAFE in hardcopy (Avenue des Arts/Kunstlaan 41, 2nd floor, 1040 Brussels, Belgium) AND via email to [ioana@prosafe.org](mailto:ioana@prosafe.org) AND [mario@prosafe.org](mailto:mario@prosafe.org) with the subject header 'JAHARP2021-05 WLAN 5 GHz Tender' and copied to the Project Facilitator: Jonathan Wood at [jonathan.wood@tenvic.com](mailto:jonathan.wood@tenvic.com). Hard copies must be received at latest by **5 July 2023** – stamp date being the proof that they were sent the latest **on 4 July 2023**, one day after the official deadline.

Tenders received after the deadline will not be assessed.

4. PROSAFE will inform successful bidders by 2<sup>nd</sup> week of July 2023 at latest.
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. Clarification of bid details and implementation options with preferred bidders during 2<sup>nd</sup> half of July.

8. Contracts are expected to be signed on or before end of July 2023.
1. Testing is expected to commence in the end August beginning of September 2023.

## 11. Evaluation and Award Procedure

The tenders will have to follow the standard submission and evaluation procedure. An **Evaluation Committee** will assess all tenders received.

In order to be considered, tenders 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 is met.

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

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 the selection of preferred bidders;
4. Preferred bidders contacted to arrange a lab visit if allowed by the circumstances, or a virtual call to discuss the testing plan and present the testing facilities;
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 the 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 the 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:
  - Each issue of **Section 6 Technical Offer** (from A to I) 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 5%, except the following issues that have been assessed by Work Package 1 as more or less important in the weight of the assessment:
    - Testing experience (issue D.i.) has a weight of 15%.
    - Testing experience for MSAs (issue D.ii.) has a weight of 10%.
    - Technical experience (issue F) has a weight of 12.5%.

- The plan to optimise throughputs (issue G.i. and issue G.v) have a weigh of 7.5% (whereas the other sub-issues G have a weight of 5%).
- The plan for managing the disposal of products or their return to different locations (issue I) has a weight of 2,5%.

Tenderers must score minimum of 50% of the total scoring for the quality of the technical offer. Tenderers that do not reach the minimum threshold of 50% will be rejected and will not be ranked.

- 2) Overall value for money on a ratio of 70%-30% for Technical capacity and quality versus price from the Financial Offer.
- 3) Outcomes of the visit to the lab as part of the assessment process (the visit may be virtual) that may confirm or contradict the initial evaluation at point 1 above.

## 12. Standard terms and conditions for the contract

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

## 13. Further information

The contract will be signed under Belgian law.

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

Avenue des Arts/Kunstlaan 41, 2<sup>nd</sup> floor

B-1040 Brussels

Belgium

Email: [ioana@prosafe.org](mailto:ioana@prosafe.org) and [mario@prosafe.org](mailto:mario@prosafe.org)

or from the Project Facilitator, Jonathan Wood

Email: [jonathan.wood@tenvic.com](mailto:jonathan.wood@tenvic.com)

With best regards,

Ioana Sandu

Executive Director

### List of Appendices

Appendix I - Detailed Product Testing Requirements and Price List

Appendix II - Checklist Complete Tender Package

Appendix III - Declaration on Honour

Appendix IV - PROSAFE General Conditions for Tenders