

Brussels, 20.03.2018

## Joint Action 2016

### GA N° 739851 – JA2016 - GPSD

### Call for Tender for Test Laboratories

### Product Activity <ELECTRIC TOYS>

#### 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.

PROSAFE's main task is to coordinate Joint Actions. Each Joint Action comprises a number of product-specific activities that target specific product groups, and a number of activities aiming at developing methods and best practices.

In 2017, PROSAFE became the coordinator for the Joint Market Surveillance Action JA2016. The Action started in September 2017 and will end in October 2019. One of the product-specific activities in the Joint Action will address **electric toys**.

The Joint Action identifies a number of roles and responsibilities:

- A Project Leader for the Joint Action has been appointed. He is responsible for the performance, reporting and coordination of the Activity Leaders;
- A Member State representative has been selected as Activity Leader responsible for carrying out the Activity on electric toys.
- An external consultant, Noel Toledo, has been selected as Activity Coordinator responsible for the daily coordination of the Activity on electric toys;
- PROSAFE's Executive Director is responsible for the general and financial management of the Joint Action;
- The financial and project administration is handled by the PROSAFE Office.

#### 2. The scope of the tender

An important part of the Joint Action is the testing of a number of electric toys. Within this Joint Action, electric toys are defined as battery operated toys and electrically alternating current (AC) operated products intended for use by children under 14 years of age. Some examples are: small toys that work with button cell batteries, electric ride-on toys, education and functional electric toys and sound and/or light emitting electric toys.

The agreement foresees the testing of a number of electric toys according to the Toy Safety Directive 2009/48/EC and to the Directive 2011/65/EU - the Directive on Restriction of Hazardous Substances in Electrical and Electronic Equipment (ROHS2).

Further information on the type of tests required are found within Annex 1 of this document.

PROSAFE is calling for one or more laboratories to undertake this testing.

The purpose of the testing is to check the level of compliance with:

- (i) the Directive 2009/48/EC, in particular to requirements specified within EN 62115:2005+A12:2015
- (ii) the Directive 2011/65/EU, in particular to requirements specified within EN 62321:2013

in line with details specified in Annex 1 of this document.

The task comprises the following services:

- Testing around 250 samples of electric toys. The precise number of samples may deviate from this budget value. It will be determined by the Activity Leader and the Activity Coordinator during the course of the Action. Testing of further samples might be requested by individual Member States outside the financial scheme of the Action.
- The Activity may ask the laboratory to participate in one or more project meetings or in email consultations, for instance to explain test methods or test results to the Member States.
- The Activity may ask the laboratory to host a project meeting for the representatives from the sampling Member States.
- The Activity will ask the laboratory to confirm to the Member States by email if the sample(s) was/were delivered intact and in a good condition, once the samples arrive at the laboratory.
- Other services as may be requested by the Activity.

The samples will be provided by Market Surveillance Authorities in the following Member States: Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, France, Greece, Iceland, Latvia, Lithuania, Malta, Poland, Slovakia, Spain and Sweden.

The Member States will provide one or more identical items of each sample for the examination and testing in line with details found in Annex 1.

Each sample will be sent to the laboratory directly from the Member States. It will be accompanied by a list that identifies the sample, the Joint Action, the submitting Member State and specific requirements for the testing, if any.

The testing is provisionally planned to start June and end in August 2018. This timeline may change.

It is emphasised that 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 test required.
- Accreditation according to EN 17025:2005 or similar for the required standards and tests.
- Full independence from manufacturers, importers or other economic operators in the market for electric toys.
- Excellent active and passive knowledge 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, 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 Activity Coordinator 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 in the field of testing.
- The laboratory shall have experience in performing tests related to electric toys according to the standards mentioned in Annex 1 and in interpreting test results and classification issues.

The following requirements apply to subcontracting:

- PROSAFE does not accept that the selected laboratory further 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 permission before such a decision is adopted.

#### 4. Requirements, quotation

The tenderer is requested to quote prices for the services specified in Annex 1 of this document:

The tenderer must quote all prices including VAT. PROSAFE is not able to recover VAT and does not accept the reverse charge method.

The tenderer must explain where the testing will take place (which country). For practical reasons, PROSAFE will only in exceptional cases engage with laboratories where the testing is going to take place outside the EU/EEA countries.

The tenderer must describe his qualifications and experience in line with the above-mentioned requirements.

#### 5. Deadline

Quotations shall be sent to the offices of PROSAFE Secretariat in hardcopy (Avenue des Arts/Kunstlaan 41, 2<sup>nd</sup> floor, B-1040 Brussels, Belgium) and via email to [info@prosafa.org](mailto:info@prosafa.org).

The email shall be copied to the Activity Coordinator, [noel.toledo@prosafa.org](mailto:noel.toledo@prosafa.org).

Quotations shall be received at PROSAFE no later than Friday, 20<sup>th</sup> April 2018> (Time Zone: 12:00 GMT +1 hour). Quotations received after the deadline are rejected.

#### 6. Selection process

The selection will be based on the following criteria:

- The tenderer's ability to carry out the specific tests.
- The tenderer's experience with testing of electric toys in this specific area.
- The tenderer's experience in participation of related standardisation activities
- The tenderer's formal qualifications (e.g. accreditation(s)).
- Price including VAT.
- Delivery time.
- Terms of delivery.
- The tenderer's ability to supply additional services to the Joint Action.
- The tenderer's ability to serve individual Member State with testing of electric toys outside the Joint Action.
- PROSAFE's general impression of the tenderer's ability to undertake the job.

The selection will follow a 2-stage process. First, one or more laboratories will be shortlisted based on the received tenders. Second, a meeting may be arranged between representatives from the Joint

Action and representatives from the shortlisted laboratory(-ies) in their premises to allow a more thorough discussion of the assignment.

The tenderer is invited to provide additional information to ease PROSAFE's evaluation of the services being offered, the prices and other aspects related to the selection criteria as mentioned above.

## 7. Further information

The contract will be signed under Dutch legislation.

Further information regarding the task and the selection procedure can be obtained from the Activity Coordinator at the address:

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B-1040 Brussels  
Belgium  
Email: [info@prosafa.org](mailto:info@prosafa.org)  
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Noel Toledo  
[noel.toledo@prosafa.org](mailto:noel.toledo@prosafa.org)

With best regards,



Nicolaas Olie  
*Executive Director*