PROSAFE Joint Actions Best Practice

JAHARP2020

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Joint Action on HARmonized Products 2020
JAHARP2020-1 Grant Agreement No. SI2. 848971
Work Package WP3: SAR measurements
Call for Tender for Test Laboratories

Published 20 September 2022

1. Background and scope

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.

PROSAFE is the Project Coordinator of JAHARP2020-1. The Joint Action runs between May 2021 and May 2023 (24 months duration). Work Package 3 (WP3) has the objective of improving the effectiveness and efficiency of market surveillance in product areas related to SAR (Specific Absorption Rate) measurements on connected portable devices.

JAHARP2020-1 includes the following roles and responsibilities:

1. Member State representatives are appointed as Work Package Leaders, including one responsible for the activity on SAR measurements on connected portable devices. For this WP, the WP Leader is Jérôme De Faria from Agence Nationale des Fréquences in France
2. Work Package Leaders are supported by a selected Work Package Facilitator: Sophie Attali for WP 3. The WP Facilitator is responsible for supporting the day-to-day facilitation of the Work Package.
3. PROSAFE 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 JAHARP2020-1 WP 3 is the testing of products for compliance with the requirements of the applicable EU legislation and safety standards. This requires the testing of products to the appropriate European standard in accredited test labs.

This tender covers the measurement of the Specific Absorption Rates (SAR) for connected portable devices, which, in this Action, comprises the following types of appliances and relevant tests:

Type of appliance to be tested	Test to be carried out
15 smartphones 4G and 5G	all SAR tests for body, head, limb
5 headphones	only Wi-Fi and Bluetooth for head and limb
5 tablets provided with Wi-Fi function. Tablets operating at 4G or 5G will not be considered.	only Wi-Fi at 2,4 GHz and 5 GHz for body and limb

PROSAFE Office, Avenue des Arts/Kunstlaan 41, B-1040 Brussels, T:+32 2 8080 996; E-mail: info@prosafe.org

5 smartwatches for children	only Wi-Fi and Bluetooth for head (depending on the type of appliance and its features) and limb. If available also need to check smartwatches with 4G or 5G

The samples to be tested are expected to be taken from the market of their territory, by each of the 7 Market Surveillance Authorities (MSAs) participating in the Work Package:

1	**Belgium**	BIPT	Belgian Institute for Postal Services and Telecommunications
2	**Bulgaria**	SAMTS	State Agency for Metrological and Technical Surveillance
3	**Cyprus**	EMS	Ministry of Transport, Communications and Works-Department of Electrical and Mechanical Services
4	**France**	ANFR	Agence Nationale des Fréquences
5	**Greece**	EETT	National Telecommunications And Post Commission
6	**Latvia**	CRPC	Consumer Rights Protection Centre
7	**The Netherlands**	AT	Agentschap Telecom

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

It is expected that each MSA will sample an equal number of five samples.

Due to legislation laboratories that will test samples selected by the French Market Surveillance Authority (MSA), Agence Nationale des Fréquences, must be cited on a list defined by the French ministry in order to be designated. The French Decree of 20 July 2005 relating to the designation of laboratories authorized to ties to carry out tests is included in Appendix V. The laboratories selected will therefore have to request this citation in the list, if they are not already included. We will provide the interested laboratories with the steps of the procedure. There is not the same specific necessity for other MSAs in the group.

For operational, capacity, and technical reasons, and depending on the circumstances, it is possible that the Work Package will appoint one or more labs to carry out the test programme. Bids are invited from individual labs only and not consortia.

If more than one lab will be appointed, they will be encouraged to cooperate and share experience to maximise positive outcomes from the Action, including the development of sustainable expert capacity in the sector.

3. Requested services

Relevant EU regulations

The aim of the test is to verify if selected products comply with respective exposure limits defined by 1999/519/EC - EU Council Recommendation.

Definition of the scope of products:

Products to be tested:

- 15 smartphones 4G and 5G
- 5 headphones
- 5 tablets provided with Wi-Fi function. Tablets operating at 4G or 5G will not be considered
- 5 smartwatches for children. If available also need to check smartwatches with 4G or 5G

Relevant test standard:

The following test standards will be applied.

Standard	Title of Standard
EN 50360:2017 (Listed in Summary list of harmonised standards according to RED - Generated by EU on 22.07.2021)	Product standard to demonstrate the compliance of wireless communication devices, with the basic restrictions and exposure limit values related to human exposure to electromagnetic fields in the frequency range from 300 MHz to 6 GHz: devices used next to the ear
EN 50566:2017 (Listed in Summary list of harmonised standards according to RED - Generated by EU on 22.07.2021)	Product standard to demonstrate the compliance of wireless communication devices with the basic restrictions and exposure limit values related to human exposure to electromagnetic fields in the frequency range from 30 MHz to 6 GHz: hand-held and body mounted devices in close proximity to the human body
EN 50663:2017	Generic standard for assessment of low power electronic and electrical equipment related to human exposure restrictions for electromagnetic fields (10 MHz - 300 GHz)
EN 62209-1:2016	Measurement procedure for the assessment of specific absorption rate of human exposure to radio frequency fields from hand-held and body-mounted wireless communication devices - Part 1: Devices used next to the ear (Frequency range of 300 MHz to 6 GHz)
EN 62209-2:2010/A1:2019	Human exposure to radio frequency fields from hand-held and body mounted wireless communication devices - Part 2: Procedure to determine the SAR for wireless communication devices used in close proximity to the human body (30MHz - 6GHz)
EN-IEC 62311:2020	Assessment of electron and electrical equipment related to human exposure restrictions for Electromagnetic fields (0Hz- 300GHz);

Requested services

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 scope of the activity. The test programme to be carried out will be determined after discussion with the selected laboratory.

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

a) Appoint a primary contact person who has project management authority for the duration of JAHARP2020-1. Any change of appointed contact will be by agreement with the JAHARP2020-1 team. Work with JAHARP2020-1 staff by email/phone to plan the preparation, testing, and reporting programme to achieve a workable and smooth process.

b) Take 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.

c) Participate in constructive discussions when JAHARP2020-1 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.

d) Test each product according to the applicable EU regulations and harmonised standards, in order to verify and demonstrate compliance with the specific requirements relevant to the product type. The purpose of the SAR measurements is to identify for a given equipment, the highest SAR value for the configuration(s) requested. Depending on the use of the equipment, head SAR, trunk SAR or limb SAR measurements can be performed. A quick check should be undertaken to identify the configuration for the highest SAR value before the full measurement is performed.

Although the specific requested tests for each product will be decided by Prosafe upon proposal from the lab regarding the most suitable measurement solutions, the tenderer must be able to undertake all the following measurement procedures:

For the measurement to be carried out on smartphones:

The following measures shall be carried out:

1) Head SAR measurement according to EN 50360

- Measurements in right and left cheek position on the central channel.
- Measurement on the high and low channels in the position for which the measurement on the central channel is the highest.
- Measurement on the central channel in tilt position in the configuration for which the measurement in cheek position is the highest.

2) Trunk SAR measurement on 6-sizes at 5mm in accordance with standard EN 50566

- Measurements taken at a distance of 5mm from all sides of the equipment.
- Measurements will be performed on the central channel. Complementary measurements on the high and low channels will be carried out for the worst case.

3) Limb SAR measurement on 6-sizes at 0mm in accordance with standard EN 50566

- Measurements taken at a distance of 0mm from all sides of the equipment.
- Measurements will be performed only on the central channel. Complementary measurements on the high and low channels will be carried out for the worst case.

For the measurement to be carried out on tablets:

The following measures shall be carried out:

4) Trunk SAR measurement on 6-sizes at 5mm in accordance with standard EN 50566

- Measurements taken at a distance of 5mm from all sides of the equipment.
- Measurements will be performed on Wi-Fi frequencies. Complementary measurements could be carried out for the worst case.

5) Limb SAR measurement on 6-sizes at 0mm in accordance with standard EN 50566

- Measurements taken at a distance of 0mm from all sides of the equipment.
- Measurements will be performed on Wi-Fi frequencies. Complementary measurements could be carried out for the worst case.

For the measurement to be carried out on smartwatches:

The following measures shall be carried out:

6) Limb SAR measurement on 1-size at 0mm in accordance with standard EN 50566

- Measurement taken at a distance of 0mm the side of use of the equipment.
- Measurements will be performed on Wi-Fi and/or Bluetooth frequencies. Complementary measurements could be carried out for the worst case.
- For 4G and 5G equipement, measurement will be performed only on the central channel. Complementary measurements on the high and low channels will be carried out for the worst case.

7) Head SAR measurement according to EN 50360

- Measurements in one of the two possible cheek position on the central channel.
- Measurements will be performed on Wi-Fi and/or Bluetooth frequencies. Complementary measurements could be carried out for the worst case.
- For 4G and 5G equipement, measurement will be performed only on the central channel. Complementary measurements on the high and low channels will be carried out for the worst case.

For the measurement to be carried out on headphones:

The following measures shall be carried out:

8) Head SAR measurement according to EN 50360

- Measurements in one of the two possible cheek position on the central channel.
- Measurements will be performed on Wi-Fi and/or Bluetooth frequencies. Complementary measurements could be carried out for the worst case.

9) Limb SAR measurement on 1-size at 0mm in accordance with standard EN 50566

- Measurement taken at a distance of 0mm the side of use of the equipment.
- Measurements will be performed on Wi-Fi and/or Bluetooth frequencies. Complementary measurements could be carried out for the worst case.

Countermeasure SAR Trunk or SAR Limb according to EN 50566

In the context of a contestation of the results or accuracy of a specific measurement, this countermeasure action consists in measuring the maximum value of the SAR for a frequency, on one side and at a distance which will be communicated by Prosafe or by the JAHARP2020-1 team.
For cases where the maximum power is based on an algorithm implemented in the equipment in real conditions of use to ensure either the control of the transmission power (proximity sensors, accelerometer, etc.) or the control of the average value of the transmission power, this algorithm will be communicated by the requesting authority and must be implemented. The tenderer must indicate by email to the requesting authority, as well as to the JAHARP2020-1 team, what are its possibilities and limitations in this area as well as any additional costs that may be associated with the implementation of the tests.

e) Issue an individual report for each tested unit in accordance with the highest appropriate standards of quality, integrity, accuracy, and timely delivery, and the recommended/agreed reporting format. Reports must record which sections of the testing process were not carried out as agreed beforehand with JAHARP2020-1. 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 of its set-up. The template of individual reports will be discussed at the start of the contract so that they fit the needs and requirements of the participating Market Surveillance Authorities.

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

f) Store each product securely until return or disposal.

g) Host a physical or a virtual meeting of JAHARP2020-1 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 JAHARP2020-1, testing process, test standard, and regulation. 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 participants and should be quoted in the financial offer as a separate service from testing.

h) Prepare a summary report on all the tests carried out and their results.

Other requirements / assumptions

The tenderer should also demonstrate the 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 with a resolution before a contract is placed:

a) Quantity: The agreement foresees the testing of 15 smartphones, 5 headphones, 5 tablets and 5 smartwatches between December 2022 and February 2023. 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 may depend upon the overall price, overall capacity of labs, and 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 in the 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.

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, return or donation: Many products will be returned to suppliers, but some product(s) may be released for disposal 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 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. This requirement should be quoted in the financial offer per product, as a separate service from testing.

The contract will operate under Belgian law.

4. 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.

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. (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 17025 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 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 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, 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.

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 sub-contracting 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 of 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 to 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 lab 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 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 in Appendix II.
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. Selection Criteria

The selection criteria that will be evaluated are the following:

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 practices that help to achieve this.

C. Cooperation: Please indicate your experience of sharing experiences with other labs, cooperation, jointly developing good practice, etc. – note that this aspect is desirable but not essential to the success of the tender. Note any areas for which commercial confidentiality may restrict sharing.

D. Storage: Please indicate how you propose to store the products securely and if restrictions on quantity or time apply.

E. Testing experience. Please describe:

   i. The experience of your team (collectively) of carrying out testing on emissions of SAR connected portable devices according to the applicable essential design and construction requirements and the specifications of the relevant harmonised standards (quantity of tests to the relevant standard(s) in the past 5 years).

   ii. The experience you have with testing for European Market Surveillance Authorities.

F. Please indicate if you have recent customer references that could be followed up as part of the assessment.

G. 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.

H. 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.

   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).

iii. Approximately how many products can be processed per week or per 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.

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.

v. Any significant implications of changes to the timeline (up to a 3-month delay or some acceleration).

I. 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).

J. Disposal: Please indicate how you propose to dispose of products responsibly or how you can support their return to different locations or arrange their donation.

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 (with zero VAT, see Note 2 below) per tested model/unit.

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:

1) Planning of the testing programme;
2) Receipt of products and storage until test;
3) Storage after test until disposal or end of contract (see assumptions above regarding this);
4) Images of products;
5) 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;
6) Standard report as agreed but based on that in the transitional standards as described in section 5;
7) Lab experts should be available to discuss test results as per requirements above either per writing vie email or attending a short session during project meetings;
8) 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 on all the tests carried out;

— Participation in project/WP-related meetings;

— Responding to enquiries from the JAHARP2020-1 team and the participating authorities about the outcome of the testing throughout the term of the contract;

Other services to be included separately:

1) disposal return or donation and
2) organisation, hosting and attending of the meeting (one) to discuss the test results at the lab premises including catering. This service is different than ad hoc and punctual participation to project meetings to clarify test methodologies or issues encountered mentioned at point 7 above.

The tenderer is requested to quote prices by filling in and signing Appendix III.

The quotation shall include an indication of the discounts proposed for quantity.
Note: The tenderer shall make no price distinction between the different frequency bands to be tested on equipment using 2G, 3G, 4G, 5G networks up to 6 GHz.

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 a 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.

8. Tender documentation

The tender should comprise:

1) Signed Declaration of Honour (Appendix I) sent in original with blue ink hand-written signature by post (reference **Section 3**). If handwritten blue -ink then the original must be attached and sent by post as well.
2) 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 IV uploaded separately).
3) Document 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 3**).
4) Document 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 not possible, the tenderer should list the number of documents pertaining to this part in the checklist (see Appendix IV).
5) Financial Offer as per the table(s) in Appendix III to these tender specifications - see separately uploaded template. For fair assessment, please provide an offer in EUR for all services as described in **Section 7** 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) Filled in and signed checklist as presented in Appendix IV.

9. Questions about this specification

Any questions of clarification or other queries about the tender requirements or specification must be submitted in writing to harp2020@prosafe.org **AND** ioana@prosafe.org, and copied to sattali@sowatt.net with the subject header '*URGENT: Question for JAHARP2020-1 WP3 Tender*'. Verbally addressed questions will not be answered, in fairness to all bidders.

Questions must be received by 21 October 2022 at 17:00 CET.

Anonymised question(s) and response(s) will be circulated to interested bidders and posted on the PROSAFE's website: www.prosafe.org.

10. Timetable and deadlines

1. Tender published on PROSAFE websites on 20 September 2022.
2. Deadline for submission of questions about the specifications: 21 October 2022 at 17:00 CET.
3. Deadline for submission of tenders: 31 October 2022 at 17:00 CET.
4. 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 harp2020@prosafe.org **and** ioana@prosafe.org with the subject header '*JAHARP2020-1 WP3 Tender*' and copied to the Work Package Facilitator: Sophie Attali sattali@sowatt.net. Hard copies must be received by 03 November 2022 – the stamp date being the proof that they were sent on 31 Oct 2022.

Tenders received after the deadline will not be assessed.

5. PROSAFE aims to notify all bidders both successful, and those that failed the procedure. 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 three days from the moment the appeal was sent to the above email addresses.
7. PROSAFE will inform successful bidders at the beginning of week 46 2022.
8. Clarification of bid details and implementation options with preferred bidders will take place on week 47.
9. Contracts are expected to be signed at the beginning week 48 2022.
10. Testing must commence on week 49 2022 [hard milestone - bidders must have capacity in place to fulfil this condition].

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 (sections 4 and 5). 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 (1) on the selection criteria set out in section 6 and (2) on their financial offer in section 7, to determine the bid that offers the best value for money.

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 selection criteria below leading to the shortlisting of preferred bidders;
4. Preferred bidders may be invited to provide additional information to clarify the already presented services or where a clerical error occurred provided that the principles of transparency and equal and fair competition are respected.
5. Review of the financial offers received to determine the most advantageous delivery and best value for money bid;
6. 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 5 Technical offer (from A to J) 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, expect the following issues that have been assessed by Work Package 3 as more or less important in the weight of the assessment:
        - Description of sharing experiences with other labs (issue C) have a weighting of 1,5.
        - Testing experience (issue Ei) has a weighting of 3.
        - Testing experience for MSAs (issue Eii) 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 on a ratio of 70%-30% for Technical capacity and quality versus price from the Financial Offer.

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, 2nd floor
B-1040 Brussels

Belgium
Email: ioana@prosafe.org / harp2020@prosafe.org

or from the Work Package 3 Technical Facilitator, Sophie Attali
Email: sattali@sowatt.net

With best regards,

Ioana Sandu

Executive Director

List of Appendices (uploaded separately)

Number	Title
I	Declaration of Honour
II	PROSAFE's General Conditions for Tender
III	Financial Proposal
IV	Checklist Complete Tender Package
V	Arrêté de 2005 relatif à la désignation des laboratoires (FR & EN)