

Joint Action on Harmonised Products 2022

JAHARP2022-03 on Electrical safety of e-car charging stations/cables (WP2) (Grant Agreement No. JA2021-2-03)

Activity: JAHARP2022-03 E-car charging stations/cables (WP2)

Call for Tender for Test Laboratories E-car charging stations/cables

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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 (MSAs) with the support of EU funding, such as JAHARP2022-03. The Joint Action runs between **April 2023 and March 2025** (24 months duration) and addresses e-car charging stations under its Work Package (WP)2 that fall under the scope of Electromagnetic Compatibility (EMC) Directive 2014/30/EU and the Low Voltage Directive 2014/35/EU. For the products with a wireless connection the Radio Equipment Directive (RED) 2014/53/EU applies.

The JAHARP2022-03 Action includes the following roles and responsibilities:

- The Joint Action main Project Group is made up of representatives of the participating Market - Surveillance Authorities (see Section 3);
- The Project Leader of WP2 is **LV-CRPC (Consumer Rights Protection Centre), represented by Mr Ivars Jorņiņš**;
- The Project Leader is supported by the Project Coordinator, PROSAFE, who is responsible for the overall performance and management of the Joint Action and for reporting to the European Commission.
- PROSAFE is represented by Mrs Ioana Sandu, Executive Director, **who appointed a Technical Facilitator, Mr Andrew Gordon, to provide technical expertise and guidance in the day-to-day organisation of the Joint Action.**

This Call for Tenders concerns the testing of e-car charging stations/ that fall under the scope of the **RED 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 and repealing Directive 1999/5/EC. It aims to verify compliance with the essential requirements stated in:

- **Article 3.1(a) - Safety requirements** as set out in **Directive 2014/35/EU** of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (but with no voltage limit applying).
- **Article 3.1(b) - Adequate level of electromagnetic compatibility** as set out in **Directive 2014/30/EU** of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility.
- The latest valid editions of the harmonised test standards (as published in the OJEU) of the EN IEC 61851-1, EN IEC 61851-21-2, EN 55032, EN 61000-4-2.

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.

The contract(s) will operate under Belgian law.

Please see the attached standard terms and conditions that will apply to the contract (reference Appendix I).

2 Participating authorities

The following Market Surveillance Authorities (MSAs) participating in JAHARP2022-03 will select the models of products to be tested:

1	Cyprus	EMS	Ministry of Transport, Communications and Works
2	Finland	Tukes	Finnish Safety and Chemicals Agency
3	Latvia	CRPC	Consumer Rights Protection Centre
4	Romania	ENERGIE	Ministry of Energy
5	Spain	EJ&GV	Ministry of Industry

6	Spain	FFII-LCOE	Foundation for the Promotion of Industrial Innovation
7	Sweden	SNESB	National Electrical Safety Board

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

3 Requested services

The testing will be carried out according to the specifications of the relevant harmonised standards.

The task comprises the following services:

3.1 Prior to testing

- i. Potentially host a pre-testing meeting of around 2-5 participants/staff at the lab facility, or a virtual visit, as part of the final stage of the assessment process. Will include discussions on test programmes, logistics for the transport of samples, timing and capacity issues with lab staff.
- ii. Appoint a primary contact person who has project management authority for the duration of the Work package. Any change of appointed contact must be made in agreement with the Joint Action team. Work with the JAHARP2022-03 staff by email/phone to plan the preparation, testing, and reporting programme to achieve a workable and smooth process.
- iii. Make the necessary arrangements to ensure the safe reception of the samples which will be delivered to the lab free of charge in original packaging, brand new. They will arrive either singly or in batches. Products remain the property of PROSAFE or the authority providing them the whole time until permission for return or disposal has been given.
- iv. Take digital identification photographs of each product before testing that show all main features, rating label, and functionality. Label each image file recognisably and/or provide an index of images that is searchable by brand, model number, project ID number.

3.2 Testing and reporting

- i. Test each product according to the applicable EU legislation and harmonised standards mentioned in Section 1, and further described at Appendix III, in order to verify and demonstrate compliance with the specific requirements relevant to the product type. It is planned to test a total of:
 - **16 e-car charging stations. The products will be rated at approximately 11 kW with charging modes 2 and 3 having a Type 2 connector (European).**
- ii. Issue a comprehensive individual test report in English for each model tested that fits the needs and requirements of the participating MSAs. This should be 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 should also include photos of the product and its set-up.

Compliance opinion: The purpose of the testing is so that the MSA alone 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.
- iii. Host a physical or a remote/virtual meeting of the JAHARP2022-03 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 the testing process, test standard 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 participants.
- iv. Participate in discussions on the whole test process with the MSAs and provide recommendations for improvements to test methods and legislation based on the results of testing.

3.3 Following testing

- i. Respond to enquiries from the MSAs about the outcome of the tests and the observations made by economic operators;
- ii. Store each product securely until return or disposal (subject to PROSAFE's approval). The cost of storage to the end of the project duration should be included in the quoted price.
- iii. When disposal is requested, this should be 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 on this are requested and may be used in the assessment in the case of equivalent bids.
- iv. Prepare a **summary report with all results and test analyses in English**, updated at regular intervals, on all the tests carried out and their results.
- v. Prepare an **end of the contract report in English** where the lab will provide an adequate overview of the state of play at the end of the contract and must guarantee its cooperation for handing over the tested samples, if needed, in a progressive, secured and orderly manner to PROSAFE.

Nota bene: To be considered, Tenderers must meet all the **Exclusion and Qualifying Criteria**. Please check these requirements carefully and ensure that the bid explicitly addresses how each of these criteria is met.

4 Exclusion criteria

Tenderers shall complete and sign in original handwriting a Declaration on 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 on Honour provided with the Call for Tenders in Appendix II. Tenderers shall use this model in its entirety.

5 Qualifying criteria

The following minimum criteria must be met and explicitly presented by tenderers in order for their tender to be considered:

5.1 Accreditation

The results of this testing will be used by MSAs to assess the compliance of equipment with directives and for this reason, authorities must be able to demonstrate full legal confidence in results. Therefore, candidate laboratories must have the following accreditation to the latest valid editions of the standards listed below, both at the time of submission of the tender and 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.
- EN IEC 61851-1.
- EN IEC 61851-21-2.
- EN 55032.
- EN 61000-4-2.

5.2 Absence of conflict of interest

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.

5.3 Ability to deliver the services

The tenderer shall prove the ability to undertake all services described in Section 3 and should present how in a convincing manner how this will be done from their end. The tenderer shall also specify the time needed to carry out the testing and deliver the test report for each model of e-car charging stations, as from receipt of the necessary test samples.

5.4 Right to witness testing

One or two representatives of PROSAFE and/or the MSA, and/or the European Commission will be permitted to witness any given test by prior arrangement, under supervision of test laboratory personnel.

5.5 Location and co-location of staff

The tenderer shall have the necessary managerial and technical personnel based at the lab site laboratory situated within the EU or the European Economic Area (EEA) for the duration of testing. The tenderer must explain if the testing will be conducted in a different location/country to that of the office submitting the bid.

5.6 Team to undertake the services

- a) 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.
- b) The team presented should be fluent in English for technical discussions and reporting.

5.7 Format of test reports

The tenderer should declare its flexibility to agree on a reporting format (template and content) that meets the needs and requirements of MSAs.

5.8 Subcontracting

PROSAFE does not accept that the selected tenderer 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.

5.9 Experience

At least 3 recent years (from 2018 onwards) of testing relevant or very similar products to the required harmonised standards for establishing compliance with relevant EU regulations should be listed.

5.10 Keeping records of documents and reports

The tenderer 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.

5.11 Confidentiality

The tenderer 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 MSA. This includes an explicit agreement to not communicate with the concerned manufacturers of tested products during project duration and after project end without a prior agreement provided by the MSAs responsible for the tested products.

5.12 Acceptance of PROSAFE standard terms

The tenderer should be willing to comply with “PROSAFE’s General Conditions for Tender as attached to this specification.

Contractors accept without reservations that 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 entered into a shortlist for further joint evaluation on the assessment criteria and the financial offer to determine the best value for money. Bids that do not meet the above Qualifying Criteria will be rejected.

6 Assessment criteria for Technical Offer

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 Tenderer’s experience of similar work, for the organisation as a whole and for the named individuals. Tenderers shall demonstrate how they best comply with the aspects raised in the questions below.

Please note that each criterion needs to be treated one by one so that the Evaluation Committee can trace swiftly and score your answer on a scale from 0, if not satisfactory, to 3 if very satisfactory. The proposed offer should treat each criterion in a manner that shows:

- Comprehensive presentation;
- Clarity in addressing the project requirements and needs;
- Good level of detail.

The selection will be based on the following assessment criteria, each with its own weight in the final score:

6.1 Criterion 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 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 tenderer win and the number of staff in the composition should be respected throughout the test programme. **Weight: 1.**

If at a later stage a change in the staff is required, this must 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.

6.2 Criterion B: Management

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. **Weight: 1.**

6.3 Criterion 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. **Weight: 1.5.**

6.4 Criterion D: Storage and Disposal

Please indicate how you propose to store and then dispose responsibly of the products securely and if restrictions on quantity or time apply. **Weight: 1.**

6.5 Criterion E: Testing experience

Please describe:

- i. The experience of your team (collectively) of carrying out product group testing according to the specifications of the relevant methods listed in Section 1 (quantity of tests to the relevant methods and standard(s) in the past 5 years). *Weight: 3.*
- ii. The experience you have with testing for European MSAs. *Weight: 2.*

When addressing the points e.i and e.ii., please indicate if you have recent customer references that could be followed up as part of the assessment.

6.6 Criterion 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. *Weight: 2.*

6.7 Criterion 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. *Weight: 2.*
- 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). *Weight: 1.5.*
- 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. *Weight: 1.*
- 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. Specific periods of unavailability to test should be clearly mentioned in the tender offer. *Weight: 1.*
- v. Any significant implications of changes to the timeline (up to a 3-month delay or some acceleration). *Weight: 1.*

6.8 Criterion 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. *Weight: 1.*

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 6 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) per tested model/unit in the **Appendix III - 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;
- Storing until and after testing (up until disposal or return subject to PROSAFE's permission);
- Taking pictures 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;
- Issuing a standard comprehensive report as agreed but based on that in the harmonised standard;
- Preparing the Summary of results report and the end of the contract 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;
- Responding to enquiries from the JAHARP2022-03 team and the participating authorities about the outcome of the testing throughout the term of the contract;
- The hosting of one physical or remote meeting with maximum 10 participants;
- Storage and/or disposal of the products tested.

The quotation shall include an indication of any possible discounts that can be offer whether for quantity of tested samples or as a commercial gesture.

Note 1: The prices in EUR quoted for comprehensive testing according to the harmonised 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: 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) **Signed Declaration on Honour** sent in original with blue ink hand-written signature by post (**Appendix II**). 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.

- 3) **Document confirming your understanding and acceptance of the Required Services (Section 3).**
- 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 tables in **Appendix III** to these tender specifications - see separately uploaded template. 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 Evaluation and award procedure

An evaluation committee will assess all tenders received as follows:

1. Screening of tenders for compliance with the exclusion criteria (any non-compliant bid rejected);
2. Screening of tenders for compliance with the qualifying criteria (any non-compliant bid rejected);
3. Assessment of qualifying bids based on the assessment criteria and calculation of a technical score with a total weight of 70% in the final score;
4. Evaluation of the financial offer and calculation of a score with a total weight of 30% in the final score.
5. Determination of the best value for money offer;
6. Optional if conducted: the 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 3 above and lead to a reevaluation of the best value for money offer.
7. Final selection of tenderers and decision on the number of products to be tested and distribution between tenderers.

10 Questions about this specification

Any questions of clarification or other queries about the tender requirements or specification must be submitted in writing by e-mail to ioana@prosafa.org AND mario@prosafa.org, and copied to andrew@cecompliancesolutions.co.uk with the subject header 'URGENT: Question for the JAHARP2022-03 E-car Tender'.

Questions must be received by 16 February 2024 at 17:00 CET.

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

Questions received differently than above described will not be answered, in fairness to all tenderers.

11 Timetable and deadlines

1. Tender published on PROSAFE websites on 29 January 2024.

Call for tender for laboratory testing of e-car charging stations/cables

PROSAFE Office, Avenue des Arts/Kunstlaan 41, B-1040 Brussels, Belgium, +32 2 757 9336; www.prosafa.org

2. Deadline for submission of questions about the specifications: 16 February 2024 at 17:00 CET.
3. Deadline for submission of tenders: 23 February 2024 at 17:00 CET.

Tenders must be sent to the offices of PROSAFE in hardcopy (Address: Avenue des Arts/Kunstlaan 41, 2nd floor, 1040 Brussels, Belgium) **AND** via email to ioana@prosafa.org **AND** mario@prosafa.org with the subject header 'JAHARP2022-03 E-car Tender' and copied to the Project Facilitator andrew@cecompliancesolutions.co.uk. Hardcopies must be received at latest by 29 February 2024 – stamp date being the proof that they were sent on 26 February 2024. Tenders received after the deadline will not be assessed.

4. Clarification of bid details and implementation options with preferred tenderers during week 10 (2024).
5. PROSAFE will inform tenderers of results in week 13 (2024);
6. Tenderers have 5 working days to appeal the decision from the day after the information email was sent. PROSAFE will analyse the appeal and provide a final decision within a week from the moment the appeal was launched.
7. Contracts are expected to be signed in week 15 (2024).
8. Testing is expected to commence in week 19 (2024).

With best regards,

Ioana Sandu

Executive Director

List of Appendices

Appendix I - PROSAFE General Conditions for Tenders

Appendix II - Declaration on honour

Appendix III - Detailed Product Testing Requirements and Price List

Appendix IV - Checklist Complete Tender Package

Disclaimer

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Innovation Council and SMEs Executive Agency (EISMEA). Neither the European Union nor the granting authority can be held responsible for them.