

Energy Efficiency Compliant Products - EEPLIANT3 (EU Grant Agreement N° 832558)

WP6: Concerted actions on new and arising issues posing challenges to market surveillance and enforcement
WP6, task 6.4 Product testing

Call for Tender for Test Laboratories

Washing machines, wine storage appliances, and televisions

March 2022

History of changes

No.	Date of change	Section	Change (highlighted with yellow colour)
1.	08.03.2022	9. Questions must be received by Monday 15 March 2022, 17:00 CET.	9. Questions must be received by Tuesday 15 March 2022, 17:00 CET.
2	08.03.2022	10.2. Deadline for submission of questions about the specifications: Monday 15th March 2022, 17:00 CET.	10.2. Deadline for submission of questions about the specifications: Tuesday 15th March 2022, 17:00 CET.

1. Background

Energy Efficiency Compliant Products 2018 (EEPLIANT3) is a pan-EU Concerted Action on market surveillance aiming to achieve impacts in line with the objectives of the Horizon 2020 – Work Programme 2018-2020 - Secure, Clean and Efficient Energy. The action is funded by the European Union under the Horizon 2020 framework with a duration from June 2019 until November 2023.

EEPLIANT3 concerted action consists of 12 different work packages (WP's) and this tender is published by work-package 6 (WP6): Concerted actions on new and arising issues posing challenges to market surveillance and enforcement

The WP6 participants are eight Market Surveillance Authorities (MSAs) from the following countries: Italy, The Netherlands, Spain, Latvia, Denmark, Belgium, Czech Republic, and Portugal.

An important part of the EEPLIANT3 concerted action is the testing of products for compliance with the relevant energy labelling and ecodesign regulations. This requires testing of products according to the appropriate European test standards in accredited test laboratories. The products to be tested are selected, purchased, and delivered to the lab by the EEPLIANT3 participants.

EEPLIANT3 falls under the following roles and responsibilities:

1. A Project Leader for the overall EEPLIANT3 Concerted Action is responsible for the performance, reporting, and strategic coordination of the wp's
2. Member State representatives are appointed as wp-leaders, including one responsible for the activity on WP6. The wp-leader is ENEA, Italy.

3. These wp-leaders are supported by a selected wp-coordinator/expert: Elisabeth Dreier, vores bureau for WP6. The wp-coordinator is responsible for supporting the day-to-day works of WP6.
4. PROSAFE is the Project Coordinator, responsible for the general and financial management and coordination of the Concerted Action.

For operational, capacity, and technical reasons, it is expected to appoint one or more labs to carry out the joint programme of work. The labs appointed 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.

This call for tender is administered by the WP6 -coordinator/expert, vores bureau, the Contractor.

vores bureau has since 2006 worked with administration and surveillance of public labelling schemes and support schemes. From 2011 to 2018 vores bureau was part of “The Secretariat for Ecodesign and Energy Labelling” which was responsible for the practical operation of market surveillance on ecodesign and energy labelling in Denmark on behalf of the Danish Energy Agency.

2. Overview of the tender

This call for tender covers energy efficiency testing programmes regarding the product groups: Washing machines, wine storage appliances, and televisions.

Further details of the exact scope of products to be tested and tasks are provided in the enclosed appendixes, along with additional assumptions and requirements.

The call for tenders includes options for purchasing add-on services such as triple products testing and additional carriage. The triple-products tests will only be purchased if any of the single-product tests indicate noncompliance. The contract (please find enclosed) includes no guarantee for purchasing triple-product testing or other add-on services.

The estimated quantity of the single-product testing is 21 products:

Product group	Product models
Washing machines	6
Wine storage appliances	5
Televisions	10
Total	21

Testing is expected to take place between June 2022 and May 2023.

Bids are invited from individual labs only.

Please pay attention to this

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.

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

Bids will be assessed according to the **assessment criteria** set out in the relevant section below.

It is possible to bid for only one or for more of the three product categories as defined under Section 5 - Requirements, sub-section entitled “Definition of scope products as per EU regulations” of this Call; in that case, the rationale should be clearly explained. Moreover, the qualifying criteria and the assessment questions apply and should be answered for each of the product categories.

When you have finalised your bid, we strongly recommend you use the enclosed **checklist** to make sure, that your bid is containing all the necessary information to meet the requirements of the call for tender.

3. 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 an analogous situation arising from a similar procedure provided for in national legislation or regulations
- b) They have been convicted of an offense concerning their professional conduct by a judgment that 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 by 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 of honor 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**.

4. Qualifying criteria

These are the minimum qualifying criteria that must be met by all tenderers for their bid to be considered. Compliance with each should be explicitly confirmed and 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/IEC 17025:2017(E) is required, as well as accreditation for the relevant test method(s) for the products to be tested:

- EN 62552-1-2-3:2020 for refrigerating appliances
- EN 60456:2016/A11:2020 for washing machines
- EN 50564:2011, EN 62087-1:2016, EN 62087-2:2016, EN 62087-3:2016 for TV
- and if possible/feasible CLC/TS 50677:2019 and CLC/TS 50707:2020 for washing

machines.

Accreditation is also required for other testing required by the relevant regulation(s), such as for noise in the case of washing machines and wine storage appliances (i.e., EN 60704-2-4, EN 60704-2-14). If a bid relies on accreditation to a 'similar' test method, then this must be justified carefully in the proposal.

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 vores bureau and/or the MSAs will be **permitted to witness any given test by prior arrangement**, as well as a representative of the manufacturer of the model under test under the 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 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. Subcontracting is accepted for limited specific tests e.g., on sound power.

However, the subcontractor is to be evaluated and presented as part of the tender, must also **comply with the mentioned exclusion and qualification criteria, and the tenderer must take full responsibility for the task performed by the subcontractor.**

The laboratory must include capability and capacity to carry out the testing services without the need to subcontract any other testing outside its own capacity except as mentioned above. 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 explicit written permission from vores bureau, before any such subcontracting can be considered.

Experience

7. **Minimum two** (in the past five years) experiences of testing relevant or very similar products to the required EN standards, including classification of products and interpreting test results for establishing compliance with relevant ecodesign and energy label regulations.
8. **Minimum one** (in the past five years) performed compliance testing for MSAs (it does not have to be the specific product groups mentioned above)

Capabilities

9. The contact person of the Tenderer must be **fluent in English** for technical discussions and reporting.
10. **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), including measurement of noise.
11. If allowed by the circumstances, ability, and willingness to **host a visit of EEPLIANT3 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).
12. Ability and willingness (if it becomes necessary) to **provide additional technical services** directly to EU Member State market surveillance authorities for work relating to the testing tasks in this specification or other tasks. Any such work would be separately quoted and contracted.
13. **Willingness to participate in the discussion of results with other labs** to develop common good practice approaches as a learning exercise for all participating test labs during the testing programme.
14. **Flexibility to agree on a reporting format** (template and content) as required to meet the reasonable consensus requirements of Authorities.

Storage of products

15. **Store each product securely** until collection by the MSA or vores bureau by the arrangement or until permission is given by the MSA or vores bureau in writing for its disposal. This longer-term storage does not have to be at the lab. Storage could be required for 12 months or more in total to allow for completion of any resultant court case but any storage beyond the end of the EEPLIANT3 Grant Agreement (which means beyond November 2023) will be organised between the lab and the relevant authority by separate contract.

Keeping records of documents and reports

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

Confidentiality

17. 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 market surveillance authority.

Confidentiality

18. The Tenderer must **document an average turnover for the latest three years of a minimum of 1,5 times the total value of the estimated financial proposal** submitted by the Tenderer.

Acceptance of standard terms

19. **Acceptance without reservations** that CINEA (European Climate, Infrastructure and Environment Executive Agency managing the Horizon 2020 programme), 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.

20. The terms of the tender must be valid for acceptance for at least three months from submission.

Bids assessed to have met the above Qualifying Criteria will be eligible for further assessment as below (section 7). Bids that do not meet the above Qualifying Criteria will be rejected.

5. Technical requirements

Please find the technical requirements in the enclosed Appendixes.

6. Financial Proposal Requirements

vores bureau is VAT registered as a taxable person established in Denmark with VAT number DK-27681859. All invoices shall mention the DK VAT number and **be issued with zero VAT**, referring 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 upon completion of each batch of testing.

The tenderer can provide offers on:

- All of the three product categories
- or one or two product categories (ies)

The tenderer is requested to quote the following prices:

- a. Unit costs per test parameters for single-product testing.
- b. Unit costs per test parameters for triple-product testing.
- c. Hourly rate for other additional services.

For pricing of tenders to be relatively simple whilst allowing vores bureau to set up cost-efficient and best value for money contract(s) according to its testing demands, 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 and storage.
- Discussions and suggestions on tests and stop/go criteria during the tests.
- Storage after test until disposal or end of the contract
- Photos of products
- Potentially pre-inspection of the product
- Testing of each product as specified. Any significant differences in the price of testing due to different possible standards should be explained in the proposal and if necessary, costed separately

- Standard report for each product as agreed but based on that in the harmonised standard (or standards named, or methods described in the transitional methods)
- Separate report on circumvention checks, compliance recommendation, etc. as described in the requirements section above
- Meeting(s) including physical at the test lab and virtual meetings to discuss the test programme, testing progress, and the test results as per requirements in Appendix B
- Potentially communication and clarifications regarding test results also with the individual MSAs by submission of test reports.
- Project management etc.
- Final report.

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

7. Assessment questions

Please address the Assessment Questions below, with sub-sections labelled as per the corresponding question numbers (1, 2, 3, etc).

General questions applicable - (has to include all relevant information depending on which product groups and parameters the tender is concerning):

1. Team and Management

Please describe the staff/team who will carry out the work (number, individual experience, qualifications, involvement in the development of test standards, etc). Include a short summary CV of the lead technical expert(s).

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.

2. Round robin

Please describe any experience of participation in round-robin testing.

3. Cooperation

Please indicate your experience of sharing experiences with other labs, cooperation, jointly developing good practice, etc¹ - note that this aspect is desirable but not essential to the success of the tender. This is especially relevant to prepare for the foreseen standard for domestic products. Note any areas for which commercial confidentiality may restrict sharing.

4. Storage

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

¹ Although EEPLIANT3 cannot fund or coordinate a round robin test, it would view positively a coordination between labs to learn from these tests through sharing information and experiences.

5. Testing experience.

Please describe the experience of your team (collectively) of carrying out washing machines, televisions, and/or wine storage appliances testing to the relevant standard(s) and compliance with regulations (quantity of tests to the relevant standard(s) in the past three years).

Please provide this information as a list of products already tested (anonymous) and if the test was done on behalf of a private manufacturer or a MSA. Please provide a few images of some of the products set up for the test in your test room (anonymised as necessary).

6. Technical experience

Please describe any technical experience of the team regarding the interpretation of test results to infer the behavior of the product and its control system or development of standards. For example, any experience of applying knowledge to the development of test methodologies, screening for circumvention, etc.

7. Capacity and optimising throughput

Product group	Total numbers of product models to be tested
Washing machines	6
Wine storage appliances	5
Televisions	10
Total	21

Please indicate:

- i. An estimate of the total number of tests, that can be conducted simultaneously for each of the three above-mentioned product groups - both single-products and triple-product tests.
- ii. An estimate of the total numbers of product tests (single-product) pr. product group (above mentioned) during the first part of the period June-October 2022.
- iii. The average duration of the test of one washing machine, television, and/or wine storage appliances. This includes receiving the product samples to deliver the final report.
- iv. Do you have any restrictions on the capacity that the voves bureau 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. Please include (if any) the maximum size, volume, and power that you can test in each product category.
- v. How your staff and assets can be used to optimise throughput, given the staff resources, size, equipment, and measuring equipment available to your lab.
- vi. Any significant implications of changes to the timeline (up to a 3-month delay or some acceleration).

8. Circumvention

Please indicate how your team would consider circumvention during the test of any given product and if you have any relevant experience, in this respect. Proposals may be considered at a later stage for any additional test(s) or variations of the test method that could provide evidence of circumvention.

9. 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).

10. Disposal

Please indicate how you propose to dispose of products responsibly or how you can support their return to different locations.

8. Assessment of tenders

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 might be contacted to arrange a lab visit if allowed by the circumstances, and a discussion of the testing plan.
5. Assessment of tenders based on bid documents and visit results.
6. Review of any qualifying bids considering the most advantageous delivery and best value overall.
7. Final selection of bidders and decision on a 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 time and to a high standard of quality, and to assess the quality and quantity of bidder's experience of similar work, for the organisation as a whole and the named individuals.

The judgement of the assessment criteria will follow this method ("overall value for money"):

Issue/criteria	Awarding points	Awarding points based on	Total maximum points
Each of the 10 issues of the assessment criteria (section 7)	At a scale from 0 to 6, where 0 = not satisfactory and 6 = very satisfactory	<ul style="list-style-type: none"> • If the assessment criteria are covered • Regarding the clarity of the bid in responding to the assessment criteria • Regarding the level of relevant details provided 	60
The structure of the bid	At a scale from 0 to 10, where 0 = not satisfactory and 10 = very satisfactory	<p>How easy is it to find the requested information in the bid?</p> <p>How reader-friendly is the bid?</p>	10
Financial proposal	At a scale from 0 to 30, where 0 = not satisfactory and 30 = very satisfactory		30
Total			100

9. Questions about this specification

The tender and all correspondence relating to it shall be in English.

Any questions of clarification or other queries about the tender requirements or specification must be submitted in writing to tender@voresbureau.dk AND copied to milena.presutto@enea.it with the subject header 'URGENT: Question for EEPLIANT3 WP6 Tender'. Verbally addressed questions cannot be answered, in fairness to all bidders.

Questions must be received by Tuesday 15 March 2022, 17:00 CET.

Anonymised question(s) and response(s) will be circulated to bidders who registered their interest and posted on the EEPLIANT website: <http://eepliant.eu/index.php/news>.

10. Tender and contract timeline

1. Tender published on EEPLIANT3 and PROSAFE websites on Tuesday 1st March 2022.
2. Deadline for submission of questions about the specifications: **Tuesday** 15th March 2022, 17:00 CET.
3. Deadline for submission of tenders: Wednesday 20th April 2022, 17:00 CET.
4. Tenders must be sent via email to tender@voresbureau.dk AND copied to milena.presutto@enea.it with the subject header 'EEPLIANT3 WP6 Tender' and must be received at the latest by Wednesday 20th April 2022, 17:00 CET
Tenders received after the deadline cannot be assessed.
5. vores bureau aims to notify bidders that failed the procedure shortly after. They will be granted five working days to request clarifications or appeal the decision by email.
6. vores bureau will analyse the appeal and provide a final decision within a week from the moment the appeal was launched.
7. vores bureau will inform successful bidders at the latest by end of April.
8. Clarification of bid details and implementation options with preferred bidders during the first half of May 2022.
9. Potential lab visits as part of the pre-contractual assessment process to be held in May/June 2022 by mutual arrangement, if need be and if possible, in the context of the Covid-19 pandemic.
10. Contracts are expected to be signed at the latest by the end of May 2022.
11. Testing commences June 2022 to May 2023.

11. Contract

Please see the attached contract template (Appendix D).

12. Further information

The contract will be signed under Danish law.

Further information regarding the task and the selection procedure can be obtained from vores bureau:

vores bureau

Bredbjergvej 44

Email: tender@voresbureau.dk

WP6-coordinator, Mrs Elisabeth Dreier

Appendixes

Appendix number	Titel
A	Declaration of Honour
B	Technical requirements
C	Financial Proposal
D	Template contract
E	Checklist
F	Q&A's

DISCLAIMER

This call for tender is part of the EEPLIANT3 concerted action that has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 832558.

The content of this call for tender represents the views of the author, and it is his sole responsibility; it can in no way be taken to reflect the views of the European Climate, Infrastructure and Environment Executive Agency (CINEA), the European Commission or any other body of the European Union, who are not responsible for any use that may be made of the information it contains.



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