

Annex II to the Invitation to Tender

Frontex/OP/50/2021/RS

Framework Contract for the supply of drug and explosive detectors:

Lot 1: RAMAN Spectrometer

Lot 2: SORS drug and explosives detector



1. General Information

1.1. Acronyms

Acronym	Definition
BCP	Border Crossing Point
CM	Contract Manager
DDP	Delivery Duty Paid (incoterms)
EC	European Commission
EU	European Union
FCM	Frontex Contract Manager
FWC	Framework Contract
MS	A Member State of the European Union
MTR	Minimal Technical Requirements
OF	Order Form
SAC	Schengen Associated Country
TS	Tender Specifications

2. Introduction to Frontex

The European Border and Coast Guard Agency - Frontex (hereinafter referred to as “Frontex”) functions under the mandate of the Council Regulation (EC) Regulation (EU) 2019/1896 with a view to improve the integrated management of the external borders of the Member States of the European Union.

The Regulation (EU) 1896/2019 lays down in Article 10 that the Agency shall contribute to an efficient, high and uniform level of border control and return including by setting up a technical equipment pool to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams, as well as in return operations and return interventions.

Further information about Frontex origin, organisation, its mandate, fields of activities, strategy and planned activities can be read on the Agency’s web site: www.frontex.europa.eu

3. General Information

3.1. Aim of the document

This document defines the terms and conditions to establish single framework contracts (FWC) for the purchase of handheld drug and explosive detectors. It describes the minimum requirements for the requested devices and it ensures that the delivered goods comply with Frontex requirements.

These Technical Specifications shall become an integral part of the contracts that may be awarded as a result of this open tender procedure.

All information delivered in this document, its annexes and other referred documents shall be taken into consideration by the Tenderers in preparation of the offer and by the Contractor during the contract’s implementation.

3.2. Scope of the FWC and Lots

In order to achieve the optimal technical equipment availability Frontex is looking to establish a single FWC (separately for each lot) for purchasing of handheld drug and explosive detectors. The overall duration of the FWCs shall be limited to four (4) years.

The contract is divided into 2 (two) lots:

Lot 1 - RAMAN spectrometer

Lot 2 - SORS drug and explosives detector

The maximum value (excluding VAT) estimated for the whole duration of the FWCs is as follows:

Lot 1 - EUR 180 000 (one hundred eighty thousand euro)

Lot 2 - EUR 120 000 (one hundred twenty thousand euro)

4. Minimal technical requirements

Handheld drug and explosive detectors shall comply with the following specifications/requirements:

4.1. Lot 1 - RAMAN Spectrometer

4.1.1. Detection method used:

- Spectral method, based on the phenomenon of (Raman) scattering of monochromatic light that enables recording of the spectral lines of radiation, scattered by a sample in a solid, liquid or gaseous phase, and identifying different substances based on the vibration of their fragments;
- Non-destructive and non-contact control testing methods: to enable scanning directly through plastic or glass to minimize contamination, reduce exposure and preserve evidence.

4.1.2. Dimensions and packaging:

- Portable spectrometer - compact device easy to handle and operate by one person.
- Size - approx. 30 x 20 x 10 cm. Size tolerance of 20% is acceptable.
- Weight - approx. 2 kg. Weight tolerance of 20% is acceptable.
- Portable box/device case with protection and backpack to hold it. Packaging ensuring safety during transportation: protective filler material (foam peanuts, bubble wrap) to keep the device fixed and protected from rattling around and being damaged during transportation.

4.1.3. Mandatory Technical characteristics:

- Excitation wave length - 1064 nm.
- Comprehensive library - contains minimum 12000 compounds: explosives, narcotics, household chemicals, TIC/TIM, cutting agents and precursors. Possibility to update on-line free, granted updates within 2 years from the delivery.
- Identification of unknown bulk substances (narcotics and explosives).
- Scanning through dark glass, coloured plastics (HDPE, LDPE) packages.
- Automated, tamper-proof records.
- Intuitive menu-driven and interface that enable fast training proficiency. Interface and hardware shall be in English language and based on commonly used symbols.
- Fast results on the screen (max 2 min).
- Data Export Formats CSV, Excel® spreadsheet, SPC file, PDF, JPG, TXT.

- Language configurations for Complete Manual with extended technical information (hard and electronic copies) - in English language. Other languages are optional.
- Minimum 5 Hours of continuous non-stop operational performance. Each detector set contains minimum two Li-ion rechargeable batteries (with min 5 hours operational time per each battery).
- DC wall adapter/charger.
- On-board digital camera
- Operating temperature -10 °C to +40 °C.
- Computer administration software.
- Interface - USB, WiFi

4.1.4. Optional technical requirements:

- Self-diagnostic function of the detector to confirm the reliability of the results during performance.
- Identification of residues, unknown, non-visible trace amounts of potential threats (narcotics and explosives).
- Automatic recipe of threats alerts.
- Adjustable accessories satisfying different sampling needs (adjustable nose, bottle adaptor, vial adaptor, etc.).
- 24/7 Reach-back service

4.1.5. Certification:

- Proof of compliance with IP Code based on EN 60529 or equivalent.

4.2. Lot 2 - SORS drug and explosives detector

4.2.1. Detection method used:

- Enhanced through-barrier detection method, based on spatially offset Raman spectroscopy (SORS).
- Non-destructive and non-contact control testing method allowing highly accurate chemical analysis of objects, sensitive explosives, drugs, psychoactive substances, hazardous materials beneath obscuring surfaces such as opaque/coloured containers (polyethylene, polypropylene or PVC containers), glass, rubber/nitrile rubber, padded packs, card, wrapping and fabrics to minimize contamination, reduce exposure and preserve evidence.

4.2.2. Dimensions and packaging:

- Portable detector - compact device easy to handle and operate by one person.
- Size - approx. 30 x 20 x 10 cm. Size tolerance of 30% is acceptable.
- Weight - approx. 2 kg. Weight tolerance of 30% is acceptable.
- Portable box/device case with protection and backpack to hold it. Packaging ensuring safety during transportation: protective filler material (foam peanuts, bubble wrap) to keep the device fixed and protected from rattling around and being damaged during transportation.

4.2.3. Mandatory Technical characteristics:

- Excitation wave length - 830 nm.
- Comprehensive library - contains minimum 12000 compounds: explosives, narcotics, household chemicals, drugs, new psychoactive substances, precursors, hazardous materials. Possibility to update on-line, granted updates within 2 years from the delivery.
- Three operation modes: through-barrier scan (through dark glass, opaque/coloured plastics (HDPE, LDPE) packages, wrapping, fabrics); surface scan; via holder scanning mode. Necessary accessories for scanning modes: laser goggles, nose cone, vial holder.

- Automated, tamper-proof records.
- Intuitive menu-driven and interface that enable fast training proficiency. Interface and hardware shall be in English language.
- Fast results on the screen (max 2 min).
- Configurations for Complete Manual with extended technical information (hard and electronic copies) - in English language. Other languages are optional.
- Minimum 5 Hours of continuous non-stop operational performance. Each detector set contains minimum two Li-ion rechargeable batteries (with min 5 hours operational time per each battery) and charger.
- Operating temperature -10 °C to +40 °C.
- Interface - USB.

4.2.4. Optional technical requirements:

- Self-diagnostic function of the detector to confirm the reliability of the results during performance
- 24/7 Reach-back service
- Interface - Wi-Fi.

4.2.5. Certification:

- Proof of compliance with IP Code based on EN 60529 or equivalent.

5. Delivery and Training (applicable for both Lots)

5.1. Delivery

The Contractor will be responsible for the timely delivery of requested products. The Contractor will also be responsible to address customs and all import related issues if any. The equipment shall be transported and delivered to Frontex Headquarters (DDP Incoterms 2010) together with all corresponding documentation and, where applicable, certificates.

The delivery address is:

Frontex

Plac Europejski 6,

00-844 Warsaw - Poland

The delivery shall take place during working hours (Monday - Friday 09:00-17:00 excluding holidays). The exact delivery date and time shall be confirmed with the Frontex contract management personnel at least 48 h before the effective delivery.

The equipment shall be delivered the soonest possible but not later than 60 calendar days after the Order Form signature.

The delivery price shall be included in the product price with no additional charges required for the shipment.

5.2. Training and manuals

For all products delivered under this contract the respective contractors shall also provide detailed technical and training manuals which shall be available (both in paper and electronic form) at least in English. Other languages are optional.

For products delivered the Contractor may also be asked to provide the necessary hands-on training to the staff identified by Frontex on the handling of the purchased equipment. Frontex reserves the right to request such a training either together with the delivery of the equipment or at any other moment during the contract duration. Contractor shall be ready to provide training sessions in two forms: 1) face-to-face training on the spot and 2) remote training using Skype for Business application.

The training location and dates will be planned in advance and in coordination with the Agency's contact Manager. The costs of Frontex staff participation will be covered by Frontex. The training shall be carried out in English language. All the training related documents and materials (manuals, presentations, drawings etc.) shall be in electronic and paper format in English language, one copy for each participant.

The expected outcome of a training is to familiarize the Frontex (FX) staff with the operational use and maintenance needs (if any) of the purchased equipment. At the end of the training the Frontex staff shall be able to operate the equipment its full capacity fully autonomously and safely.

Taking into consideration the expected outcome as described above, the Contractor shall develop a training program and deliver trainings covering the following areas:

- General overview of the device;
- User manual, drawings;
- Basic Characteristics;
- Operational Instructions;
- Capabilities and constraints;
- Safety rules

Training shall be provided by competent, qualified and experienced staff

The duration of the training should be app. 4 hours. The fee for the training must be indicated separately in the financial offer and must cover all costs related with providing the training by the Contractor (travel and subsistence, training materials for participants, preparation fee, etc).

The training shall be ordered via Order Form.

5.3. Warranty

The purchased under both Lots equipment shall be covered by at least 2 years warranty.

The warranty shall include factory repair or replacement if required, library and software updates.

6. Quality monitoring and acceptance procedures

6.1. Quality control procedure

Frontex will constantly monitor the quality of the products delivered under the FWC, namely compliance of the product to the Minimum Technical Requirements as described in art. 4 of this document and well as compliance with IP Code Certification. During the term of the FWC Frontex reserves the right additionally to ask the Contractor(s) to provide credentials/reports about the results of following tests:

- Dustproof factor/intrusion protection
- Waterproof factor/moisture protection

Costs of the tests are to be covered by the tenderers.

The Contractor will be immediately informed in case the quality is not up to expectations in any of the criteria and will be requested to remedy to the identified failure immediately.

In addition, Frontex reserves the right to contract an independent testing, including in the field conditions, on any of the delivered equipment at any moment during the contract duration for the purpose of verification of quality of the equipment and its compliance to the MTR described in art. 4 of this document. Such tests shall be executed by an independent internationally recognised European Laboratory.

6.2. Acceptance procedure

Based on the quality monitoring and control, all products delivered under the FWC will be subject to the Frontex acceptance.

Upon delivery of the products which are part of the OFs Frontex shall evaluate them and provide the Contractor with written notice of Acceptance, Partial Acceptance or Non-acceptance.

In the event Frontex provided notice of partial or non-acceptance to Contractor, it shall have the continuing right, at its sole option, to:

- refuse to pay any fees or other amounts associated with such products;
- accept such products on the condition that any fees or other amounts payable with respect thereto shall be reduced or discounted to reflect, to Frontex' satisfaction, the deficiencies present therein or the costs likely to be incurred by Frontex to correct such deficiencies; or
- terminate the contract and/or seek any and all available remedies, including damages.

In case of non-acceptance or partial acceptance of the delivered equipment by Frontex the Contractor shall be obliged to recover it at his expense from Frontex premises within an indicated deadline, which as a rule shall not exceed 5 working days.

7. Implementation of FWC

7.1. FWC implementation process

The FWC shall be implemented by means of Order Forms. An Order Form (OF) template is presented Annex III to Draft Contract.

Each time a certain amount of devices/training is needed, Frontex will issue and send to the Contractor an OF, specifying all the necessary details (e.g. quantity, exact shipment address, etc.) as well as the contractually agreed time of delivery.

The Contractor must send the counter-signed and dated OF back to Frontex within maximum five (5) working days.

Once the OF is signed by both parties, the execution of the order shall start.

7.2. Payment

All prices shall be in Euro. Any invoices shall indicate the Frontex' Order Form number to which it refers and should be sent in pdf format to the following address: invoices@frontex.europa.eu .

As a principle, all payments related to one OF shall be made after the acceptance of the products delivered and upon the reception of the invoice. Frontex executes the payment within 30 calendar days.

The contractor may request a 30% pre-payment. The pre-payment request is admissible upon the signature of the Order Form and reception of the invoice. Frontex shall pay the invoice within 30 calendar days after its receipt.

7.3. Language

All the documentation delivered within the contract shall be in English. Moreover all communication, whether written or spoken, shall be in English.

7.4. Contract management personnel

Contractor's personnel

The Contractor shall be responsible for providing all necessary personnel to ensure the satisfactory performance of its obligations under the FWC and shall supervise and be fully responsible and liable for all the services performed by its personnel and for their compliance with the terms and conditions of the FWC.

During the implementation of the FWC and its Order Forms the Contractor shall nominate a Contract Manager (CM) for all contractual matters. CM will act as a single contractual contact point. All the correspondence related to the FWC (including the implementation of the OFs) will be addressed to him/her.

Frontex personnel

For the proper implementation of the FWC and its OFs Frontex will nominate a Frontex Contract Manager (FCM), who will act as a single contact point for all the matters related to the FWC implementation, including the implementation of the OFs.