

	REQUEST FOR PROPOSAL (NZ Police as Purchaser)
	Tender Ref: TN/15/02 Handheld Evidential Breath Alcohol Testing Devices

NZ POLICE DIRECTORY	
DISTRICT	Police National Headquarters 180 Molesworth Street DX SX11149 Wellington
CONTACT PERSON	All contact must be through the e-mail address tenders.national@police.govt.nz . No member of New Zealand Police is to be directly contacted or approached regarding this proposal.
CONTRACT AUTHORITY	Deputy Commissioner Rickard

ACTION ITEMS/DEADLINES	
1.	Contact NZ Police's contact person up to 15 August 2014, if you have any queries.
2.	Submit your Proposal to NZ Police by the closing time of 12 noon on 29 August 2014 .
3.	Evaluation of tenders, select and notify shortlist tenderers by 4 September 2014.
4.	Commencement of discussions and negotiations for refinement of Proposal (s) with shortlist tenderers from 4 September 2014.
Note: Any of the above may be changed by NZ Police.	

PROPOSAL SUBMISSION	
Tenderers are to submit one signed original, six complete copies of their proposal (for the Tender Evaluation Team) in a sealed package by the closing time of 12 noon on 29 August 2014 Tenders are to be clearly labelled as follows:	Contracts Administrator Police National Headquarters 180 Molesworth Street DX SX11149 WELLINGTON Tender Ref: TN/15/02 Evidential Breath Alcohol Testing Devices
Validity Period: Your tender must remain valid for 120 Days from the tender closing date and may not be withdrawn or changed without NZ Police's consent.	

Instructions:

- ◆ All proposals are to be sequentially page and section numbered. The response to the Requirements section must be a clause by clause basis.
- ◆ Annex B (Tender Form) and Annex C (Pricing) are to be in a separate sealed package of your proposal, and are not to be included in the main body of the proposal.
- ◆ Fax or email copies of your proposal will not be accepted.

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Terms and Conditions of Tendering the Proposal

1. **Police Employees:** Any personnel employed by New Zealand Police (**NZ Police**), including full time, casual and temporary staff whilst working for NZ Police, and personnel under a NZ Police employment contract, are not permitted to submit a Proposal.
2. **Samples:** If requested by NZ Police, samples are to be promptly supplied for evaluation purposes at every risk and cost of the supplier responding to the RFP (**Tenderer**). Samples may be returned on written request.
3. **Tender form:** Tenderers must use the Tender Form in Annex B. Any deviations are to be noted and explained.
4. **Contract authority:** The NZ Police Contact Person does not have authority to bind NZ Police in respect of this RFP. Only the NZ Police Contract Authority stated at the front of this document has the authority to bind NZ Police in respect to this RFP.
5. **Police information:** Except to the extent required by law, NZ Police may withhold any information from any person for any reason. While NZ Police tries to produce accurate information, it will not be liable (in contract or tort, including negligence, or otherwise) to anyone if they rely on any information provided by NZ Police.
6. **Confidentiality:** NZ Police will keep the Tenderer's Proposal confidential, subject to the:
 - (a) requirements imposed by the Official Information Act 1982, the Privacy Act 1993, parliamentary convention and any other obligations imposed by the law;
 - (b) disclosure of information to the appropriate authority because of suspected collusive or anti-competitive tendering behaviour; and
 - (c) disclosure of details as stated in Clause 8.
7. **Public Finance Act 1989 restrictions:** It should be noted that NZ Police is constrained by laws controlling incurring credit (including pre-payments), financing lease arrangements and in respect of guarantees, indemnities and other contingent liabilities (see the Public Finance Act 1989).
8. **Disclosure of Proposal information:** NZ Police may disclose the details of any tender and whole of life price/s to other respondents (during debriefing sessions), relevant industry/tender publications and other interested persons on request. Details of a Proposal will also be disclosed to the extent NZ Police may be required by law to do so.
9. **Submission of Proposals:** NZ Police must receive Proposals by the closing time. NZ Police may exclude any non-compliant or late Proposal.
10. **Access to property and information:** Access to any property or information is on the basis that:
 - (a) NZ Police's security, operational and documentation requirements will be complied with; and
 - (b) information will not be misused, and Tenderers will maintain its confidentiality.
11. **Information about Tenderer:** NZ Police may collect and use any information from or about Tenderers, and may contact any Tenderer about their Proposal. NZ Police may hold any preferred Tenderer/supplier meetings. Questions, answers and other information do not have to be disclosed by NZ Police to any other Tenderer (except to the extent required by law, e.g. Official Information Act 1982).
12. **Best offer basis:** NZ Police may treat a Proposal as the Tenderer's best offer without and despite any further enquiry.
13. **Rights reserved by NZ Police:** NZ Police may, unrestricted:
 - (a) delete or change any requirement for any deliverable, but will let all Tenderers know of the change;
 - (b) change any time, or suspend or cancel this tender process;
 - (c) have and apply any policy or criteria it wishes as to participation or evaluation;
 - (d) consider any alternative Proposal;
 - (e) withhold or disclose any information (except to the extent required by law);
 - (f) use or disclose to anyone, any information about, or provided by, any Tenderer;
 - (g) not retain, return or destroy any information;

- (h) freely negotiate or contract with anyone at any time, and create any type and number of contracts for its requirements; and
 - (i) not progress or accept the lowest Proposal or any other Proposal.
14. **Acceptance does not create a contract:** Written acceptance of a Proposal by NZ Police **will not create a contract between NZ Police and the successful Tenderer**. No contract shall exist between NZ Police and the Tenderer until all applicable parties have signed formal written contract documents.
 15. **Proprietary rights:** NZ Police will have every proprietary right (e.g. copyright) in information provided during this RFP process so that it can freely possess and use that information at any time.
 16. **No undisclosed benefits:** Tenderers shall not directly or indirectly provide any form of inducement or reward to any NZ Police representative in relation to this RFP process. Breach of this clause may mean disqualification from this RFP process.
 17. **No contact:** Tenderers shall not directly or indirectly contact any NZ Police representative in relation to this RFP, or with respect to their tender response. All inquiries and correspondence are to be directed through the e-mail address at the front of this document. Breach of this clause may mean disqualification from the RFP process.
 18. **No liability:** None of NZ Police or its representatives will be liable (in contract or tort, including negligence, or otherwise) for any direct or indirect damage, loss (including loss of profits or business or other economic loss) or cost (including legal costs) to any Tenderer or other person in relation to this RFP process.
 19. **General:** NZ law governs. NZ Courts have exclusive jurisdiction. NZ time applies. NZ Police is the Crown, and no executive or prerogative right or power, or any immunity of, the Crown is affected by this RFP process.

ANNEX A - NZ POLICE'S REQUIREMENTS

This Annex has two sections; A and B.

Section A 'Overview of Requirements' provides an overview of the requirements, specifies all of the services being sought by Police and the evaluation criteria and methodology. This section does not require a response.

Section B 'Tender Response Requirements' requires tenderers to respond to each question. Tenderers are to include the serial number for each question at the beginning of each response.

SECTION A: OVERVIEW OF REQUIREMENTS

1 Introduction

- 1.1 New Zealand Police (Police) require a supplier for the provision of handheld passive/Evidential Breath Alcohol testing (EBT) devices to enable Police to enforce the current and proposed legislative requirements in New Zealand.
- 1.2 Police seek to invite suitably qualified tenderers to provide responses regarding the availability and supply of handheld EBT devices. All detail is provided in the Request for Proposal (RFP) document (section B).
- 1.3 The EBT devices must be able to operate within the New Zealand policing environment. Technical specifications such as the device's physical attributes, power supply and operating frequency are outlined in the RFP document.
- 1.4 The EBT devices and any associated technology must have proven reliability, Police will not consider any conceptual technology or solution. In addition, the EBT devices must meet the Mandatory Criteria set out in this RFP document, and must be approved to either one of the following standards prior to 25 October 2014:
 - a) Organisation Internationale de Metrologie Legale OIML R 126; or
 - b) Australian National Measurement Institute NMI R 126 Pattern Approval Specifications for Evidential Breath Analysers.

Police will be seeking to select only one model of EBA testing device.
- 1.5 The tender contains a mandatory requirement for the EBT devices to read down to very low levels.

2 Contract Term & Management

- 2.1 The contract term is for five years with one further rights of renewal of five years. The renewal is at the discretion of New Zealand Police. Each party will nominate both a Business Representative (day-to-day business and Service Level Agreement (SLA) adherence) and a Relationship Manager (strategic and relationship development) to manage the contract lifecycle and its deliverables.

3 Timetable

Activity	Date
Tender Advertised	5 August 2014
Tenders Close	29 August 2014
Shortlist Advised	04 September 2014
Tender Evaluation Complete	28 October 2014
Tender Evaluation Report submitted to Tenders Board	18 November 2014
Tenderers Debriefed	20 November 2014
Contract Signature	December 2014
Outcome notified on GETS	December 2014

4 Background

- 4.1 Road crashes impose a massive and unacceptable burden of death, pain and suffering on New Zealanders. The Government is determined to reduce this burden by making New Zealand's roads safer for everyone.
- 4.2 In 2012 driver alcohol/drugs were a contributing factor in 82 fatal traffic crashes, 338 serious injury crashes and 941 minor injury crashes. These crashes resulted in 102 deaths, 467 serious injuries and 1,347 minor injuries. The total social cost of crashes involving alcohol/drugs was about \$710 million; 22 percent of the social cost associated with all injury crashes.
- 4.3 Since the 1990s, the compulsory breath testing programme has contributed to reductions in the number of alcohol related fatalities. The number of drink drive offences has fallen by 28 percent, from 34,166 in 2009 to 24,539 offences in 2013.
- 4.4 Compulsory breath testing is the principal means of dealing with drink driving. Central to compulsory breath testing is the use of EBT devices. EBT devices accurately measure the proportion of alcohol in a driver's system by conducting an internal analysis of breath blown into the device. The device produces a hard copy of the result that can be used in court to support prosecution of driving a vehicle with excess breath alcohol.
- 4.5 The EBA testing devices currently used by Police are the Seres 679 ENZ and Draeger 9510 models.

- 4.6 The Government is progressing new legislation that will lower the blood and breath alcohol drink drive limits. For breath alcohol this would be a change from 400µg to 250µg. The change is part of the Government's commitment to reduce the influence of alcohol on New Zealand roads. It is expected that drivers who offend within the new range will receive a \$200 infringement and 50 demerit points.

5 Estimated Activity

- 5.1 Police intends to complete around 3.2 million breath screening tests per year by 2016/17 and 625,000 hours of alcohol enforcement. The lowering of the drink drive limit is expected to create additional offences particularly in the first year of implementation.

6 EBA Testing Device Quantities

- 6.1 Police currently have approximately 3,000 handheld devices for breath alcohol screening. The existing stock of passive/screening handheld breath alcohol testing devices will be replaced gradually over a five year period. This RFP seeks to identify and deliver handheld evidential breath testing devices capable of also fulfilling the role of the passive/screening devices. The proportion of passive/screening handheld devices to evidential handheld devices will be based on commercial and usability factors determined by this RFP process.

7 EBA Testing Device Operation Requirements

- 7.1 Police require EBT devices that conform to the following high level requirements:
- Approved to one of two **specified standards**.
 - Capable of making **accurate breath alcohol measurements** in the range from 50 micrograms of alcohol per litre of breath to 2000 micrograms of alcohol per litre of breath.
 - Designed to be used in either of **three modes of operation**: passive mode, screening mode and evidential testing mode.
 - Designed to be **handheld and easily stored, carried and used** by Police officers (operators) in the field for extended periods of time.

7.2 General Operational Requirements

The following requirements apply to the handheld EBT device in general:

- The operator must be able to easily move between the three required modes of operation.
- The operator must be able to easily identify the mode of operation they are in.
- The operator must be able to choose any mode of operation at any time.
- Clear instructions for the operator must be displayed to guide usage of the device.

7.3 Passive Mode Requirements

This mode will be used to identify whether alcohol is present in the breath of the person being tested (subject) or not and is the most commonly used mode of operation.

The result in this mode is a pass/fail and there are no printing requirements.

7.4 Screening Mode Requirements

This mode will be used to identify whether alcohol is present in the breath of the person being tested (subject) and if so within what range. It will be used to determine whether the subject may have committed an offence.

The result in this mode is a breath alcohol level range and there are no printing requirements.

7.5 Evidential Testing Mode Requirements

This mode will be used to determine the breath alcohol level of the subject to determine whether an offence has been committed and the category of offence. The result will guide the Police officer on the action that they must take which may include issuing an infringement notice, producing a summons to the defendant and forbidding the subject to drive.

An evidential breath test is a test sequence which includes zero tests, calibration tests and one or more samples from the subject to establish a single test result. The EBT device must be able to display and print the results of the test sequence.

The result of an evidential breath test may be used in a New Zealand Court as evidence of an offence and therefore must be accurate and contain the required information.

8 Contract Management

8.1 The supplier will be expected to provide a key person from its staff who will be responsible for the performance of the relationship and achievement of agreed levels of service delivery.

8.2 The supplier is required to liaise primarily with a representative of Police, based at Police National Headquarters, but may also be asked to interact with key personnel in districts and service centres to plan and deliver the programme.

9 Reporting

9.1 The supplier must be able to provide adhoc reports as and when required by Police, for all services undertaken for the contract.

10 Security and Insurance

10.1 Police may undertake a security reference check on all supplier staff involved in the direct delivery of the contract.

10.2 The supplier will be required to hold appropriate insurance cover for the services being sought.

11 Service Level Agreements (SLAs)

11.1 Appropriate SLAs will be agreed with the recommended supplier and detailed in a schedule to the final contract.

12 Tender Preparation and Deliverables

12.1 Tenderers are to complete and provide the information requested at:

- a) Annex A, Section B. This section is to be responded to on a clause by clause basis. Where required, supporting documentation is to be indexed and provided in a separate response file;
- b) Annex B - Tender Form; and
- c) Annex C - Price and delivery information.

13 Tender Evaluation Methodology, Criteria & Weightings

13.1 The RFP evaluation stages are as follows:

Stage 1 - Evaluation of Mandatory Criteria (Pass / Fail);

Stage 2 - Evaluation of all Non Price Weighted Criteria (only tenderers that pass all mandatory criteria);

Stage 3 - Determination of Conforming Tenderers;

Stage 4 - Evaluation of Price (Conforming Tenderers only);

Stage 5 - Conforming Tender Ranking;

Stage 6 - Determine Short listed Tenderers;

Stage 7 - Short listed Tenderers device testing, presentations and assessment and;

Stage 8 - Final ranking of short-listed Tenderers - Preferred Tenderer.

EVALUATION CRITERIA		
MANDATORY CRITERIA		
	Commercial Requirements	
1	Technical support	Pass/Fail
2	Tenderer viability	Pass/Fail
	Operational Performance Requirements	
3	Approved standard	Pass/Fail
4	Accurate measurements	Pass/Fail
5	Measurement resolution	Pass/Fail
6	Evidential mode calibration checks	Pass/Fail
7	Evidential mode "zero tests"	Pass/Fail
8	Evidential Breath Test Result calculation	Pass/Fail
	Performance	
9	Retain data	Pass/Fail
10	Print	Pass/Fail
11	Time recording	Pass/Fail
	Climatic Capability	
12	No influence from external emissions or transmissions	Pass/Fail
13	Not radiate within specified frequency	Pass/Fail
	Equipment Capability	
14	Internal power source	Pass/Fail
15	Unique device serial number	Pass/Fail
16	Easily stored, carried and used	Pass/Fail
	Operator Interface Requirements	
17	Three modes of operation	Pass/Fail
18	Passive mode pass/fail result	Pass/Fail
19	Screening mode bracketed results	Pass/Fail
20	Evidential breath alcohol result display	Pass/Fail
	Physical Testing Requirements	
21	Device to be delivered for testing	Pass/Fail
22	Device manual delivered for testing	Pass/Fail

WEIGHTED CRITERIA		Level Weighting (%)			
		1	2	3	4
Non Price Attributes		70			
1	Commercial Requirements		30		
	ORGANISATION REQUIREMENTS			25	
1	Organisation stability				100
	IMPLEMENTATION REQUIREMENTS			75	
2	Supply for use in December 2014				10
3	Delivered in timely manner				10
4	Manufacturer's warranty				10
5	Service centre in Wellington, New Zealand				20
6	Calibration in New Zealand				30
7	Used by at least 3 enforcement agencies				10
8	Customisation experience				10
2	Operational Performance		40		
	USABILITY			40	
9	Usable after 30 minutes training				50
10	Easy to use				50
	EQUIPMENT CAPABILITY			40	
11	Secure mouthpieces				10
12	Alarm when power supply low				5
13	serial numbers have "NZ" as a component				5
14	Ceases when calibration overdue				20
15	Print capabilities				30
16	Test completes in reasonable time				20
17	Ancillary equipment and functionality				10
	TRANSPORTATION			20	
18	Device weighs 5kg or less				15
19	Device is portable				15
20	Dimensions of transit case				20
21	Impact test results				25
22	Vibration test results				25
3	Operator Interface Requirements		30		
23	Requires operator identification number			10	
24	Passive mode requirements			10	
25	Screening mode requirements			20	
26	Evidential mode usage requirements			20	
27	Evidential mode display requirements			20	
28	Evidential mode printing requirements			20	
4	Price	30			

Note: The Price evaluation will be based on the Total Cost of Ownership.

14 Tender Outcome Notification & Post Tender Debriefings

- 14.1 Following the Police National Tenders Board ratification of the tender evaluation outcome and its recommendations, all respondents will be notified of the outcome and offered a debriefing session in order to gain an understanding of how their proposal and others were evaluated, and as such, what strengths and weaknesses were assessed by Police. It must be noted that these sessions are not an opportunity to reassess panel scores but a regime to provide confidence to all parties that a consistent and equitable evaluation was undertaken, thereby underpinning process and outcome integrity.

15 Publicising/Publishing Results

- 15.1 The successful tenderer will not be authorised to publicise or publish any results obtained for Police using the method specified in this RFP, unless prior written permission is given by Police.

SECTION B: TENDER RESPONSE REQUIREMENTS

MANDATORY CRITERIA

NOTE: For all relevant criteria tenderers are to identify whether their handheld EBT currently meets the NZ Police requirement (which is based on New Zealand legislation) or whether customisation is required.

1 COMMERCIAL REQUIREMENTS

1. Tenderers must be capable of addressing faults with a turn-around time of not more than five working days upon receipt of a faulty device.

Tenderers are to confirm their technical support process, capabilities and timings and this can involve the use of a pool of replacement devices managed by the supplier.

2. Tenderers must be financially viable and in a position to sustain the required services over the contract period.

Tenderers are to provide details of their financial position.

2 OPERATIONAL PERFORMANCE REQUIREMENTS

OPERATIONAL COMPLIANCE

3. The EBT device must meet or be capable of meeting either one of the following standards before 25 October 2014 :
 - a) Organisation Internationale de Métrologie Légale OIML R 126; or
 - b) Australian National Measurement Institute NMI R 126 Pattern Approval Specifications for Evidential Breath Analysers.

Tenderers are to confirm which standard they do, or will, conform to and relevant dates.

4. The EBT device must be capable of making accurate breath alcohol measurements in the range from 50 micrograms of alcohol per litre of breath, to 2000 micrograms of alcohol per litre of breath, to one of the standards specified in mandatory criteria 3.

Tenderers are to confirm their device is capable of this accuracy.

5. The EBT device must have a resolution of 1 ug/L.

Tenderers are to confirm their device is capable of this resolution.

6. The EBT device must automatically carry out calibration checks in evidential mode of operation. If the internal calibration check fails the operator must be advised on the display panel.

Tenderers are to describe the calibration check process for their device.

7. The EBT device must automatically carry out “zero tests” (such as air blanks) in evidential mode of operation.

Tenderers are to confirm their device is capable of these tests.

8. Evidential Breath Test Result Calculation

When the device is operating in the evidential breath test mode the Evidential Breath Test Result must be calculated by the device from the samples taken. Once sufficient opportunities have been given to provide a satisfactory sample, the EBA testing device must calculate the Evidential Breath Test Result as follows (examples of printouts can be supplied on request):

- a) If two sufficient samples are provided and analysed and one or both samples are 600 or below, the Evidential Breath Test Result will be the lower result of the two samples.
- b) If only one sufficient sample has been provided and the result is 600 or below, the Evidential Breath Test Result will be that result.
- c) If two sufficient samples have been provided and analysed and they are both above 600, but the higher result is more than 1.15 times that of the lower, the Evidential Breath Test Result is an “incomplete test” or similar wording.
- d) If two sufficient samples have been provided and analysed and they are both above 600, and the higher result is equal to or less than 1.15 times that of the lower, the Evidential Breath Test Result will be the lower result.
- e) If no sufficient sample has been provided at both attempts, the Evidential Breath Test Result is an “incomplete test” or similar wording.
- f) If there is only one sufficient sample after a minimum of two opportunities to provide samples have been given and if that result is above 600, an air blank test must immediately occur followed by the opportunity for a further sample to be provided (the previous screen display for requesting the sample and usual provision for timing the subject out will apply) at which point there are four outcomes as set out below. The air blank, internal calibration check, air blank sequence must follow the third sample opportunity.

List of Outcomes for the Third Sample Opportunity:

1. The third opportunity to provide a sufficient sample results in no sufficient sample being given, in which case the Evidential Breath Test Result is an Incomplete Test.
2. The third opportunity to provide a sufficient sample is satisfactorily completed and it and the other result are both above 600, but the higher result is more than 1.15 times that of the lower, in which case the Evidential Breath Test Result is an “incomplete test” or similar wording.
3. The third opportunity to provide a sufficient sample is satisfactorily completed and it and the other result are both above 600, and the higher result is equal to or less than 1.15 times that of the lower; the Evidential Breath Test Result will be the lower sufficient sample result.

4. The third opportunity to provide a sufficient sample is satisfactorily completed and it gives a result of 600 or below. Even if the higher result of the two satisfactory and sufficient breath samples is greater than 1.15 times that of the lower result, the Evidential Breath Test Result will be the third opportunity's test analysis result.
- g) If the device detects an error during the internal calibration check carried out as part of the evidential testing sequence the Evidential Breath Test Result is "incomplete test".
- h) If the upper range of the EBT device is exceeded the result must indicate this with wording such as "Range Exceeded" and "Evidential Breath Test Result 2000 +".

Tenderers are to confirm their device is capable of this calculation and are to detail any customisation required to achieve this. Negotiations with the successful tender will be held to finalise acceptable display parameters.

PERFORMANCE

9. The EBT device must be able to record and retain internally all data captured until data is downloaded.

Tenderers are to confirm their device is capable of this requirement and include any relevant details such as how long the data will be retained, how it is downloaded and how deletion from the device is managed.

10. The EBT device must be able to display and print results of an evidential breath alcohol test.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

11. The EBT device's clock must accurately record time and be able to be changed without a technician needing to do this (e.g. at the start and end of New Zealand daylight saving).

Tenderers are to confirm their device is capable of this requirement and include any relevant details such as the impact of turning the device on and off.

CLIMATIC CAPABILITY

12. The EBT device must not be influenced in any manner from external radio frequency emissions between 10MHz and 1000MHz, or cell phone transmissions.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

13. The EBT device must not radiate any radio frequency emissions that would affect Police radios between the following frequencies:

- a) 70MHz to 80MHz;
- b) 135MHz to 145MHz;
- c) 450MHz to 550MHz; and

d) 800MHz to 900MHz.

Tenderers are to confirm their device is capable of meeting this requirement and include any relevant details.

EQUIPMENT CAPABILITY

14. The EBT device must be powered by an internal power source. .

Tenderers are to confirm their device is capable of this requirement and to detail the power source used and the hours of operation without recharging or changing the device's batteries.

15. The EBT device must be identified by a unique serial number recorded on the case and programmed into the device.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

16. The operational EBT device must be handheld and easily stored, carried and used by an officer at the roadside in day and night time light conditions, hot and cold temperatures and in wet or dry weather conditions.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

OPERATOR INTERFACE REQUIREMENTS

While certain output/printout requirements must be met, it is intended that manufacturers incorporate this or similar software into existing options which they have developed.

17. The EBT device must be capable of operating in passive mode, screening mode and evidential mode.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

18. When used in passive mode the EBT device must produce a pass/fail result with no breath alcohol level information.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

19. When used in screening mode, the EBT device must report bracketed results in compliance with New Zealand legislation with allowance for normal experimental variation.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

20. When the device is being used for evidential purposes it must be capable of displaying, printing and retaining the evidential breath alcohol result in actual micrograms of alcohol

per litre of breath (no breath/blood alcohol factors are involved) and the four figure output must be given with no rounding, e.g. 893 will show as 0893.

Tenderers are to confirm their device is capable of this requirement and include any relevant details.

3 PHYSICAL TESTING REQUIREMENTS

21. Tenderers must provide their EBT device for testing within 25 working days of being notified, and it must be the model intended to be supplied by the successful tenderer for use out in the field, not a prototype or demonstration model.

Tenderers are to confirm acceptance of this requirement

22. The tenderer must supply one manufacturer's manual when their EBT device is provided for physical testing, which will be returned once the tender process is complete. No manufacturers' manuals will be held in New Zealand.

Tenderers are to confirm acceptance of this requirement

NON-PRICE WEIGHTED CRITERIA

NOTE: For all relevant criteria tenderers are to identify whether their handheld EBT device currently meets the NZ Police requirement (based on New Zealand legislation) or whether customisation is required.

1 COMMERCIAL DESIRABLES

ORGANISATION REQUIREMENTS

1. The tenderer is required to be a stable, financially viable organisation.

Tenderers are to provide information to demonstrate their stability and viability. This should include an overview of the organisation, information on research and development work undertaken and disclosure of any Court exposure.

2. It is highly desirable that 200 handheld EBT devices are supplied for use in an operational environment in December 2014 and that further devices are available for a national rollout.

Tenderers are to state the numbers of devices that could be provided and dates on which they could be provided.

IMPLEMENTATION REQUIREMENTS

3. It is desirable that EBT devices are delivered for use in a timely manner.

Tenderers are to state the delivery time in days from receipt of order by the supplier to receipt of devices by NZ Police. Please indicate if there are any differences based on numbers ordered.

4. It is desirable that the EBT device has a manufacturer's warranty commencing from the date of first calibration.

Tenderers are to provide details of the warranties that are applicable to the EBA testing device you are proposing, including the length of the warranty and what specific items it covers i.e time, material, freight etc.

5. It is desirable that the tenderer have a service centre available in Wellington, New Zealand which is open during normal business hours, to service faulty devices.

Please provide details of where your nearest service centre is based. Where the service centre is outside of Wellington, New Zealand please provide an estimate of freight turn-around times and costs. If you intend to establish a service relationship with a third party in New Zealand please provide details of who this may be.

6. It is desirable that the EBT devices can be calibrated in New Zealand every 6 months, with a turn-around time of not more than three working days upon receipt of a device.

Tenderers are to confirm their ability to conduct this annual calibration providing details on where this would occur and what specific checks would form part of this process. The cost for this service will be addressed in Annex C.

7. It is desirable that the EBT device is currently used by other enforcement agencies and that the tenderer supply contact details to enable reference checks to be completed. It is desirable that one reference should include an incident where an issue has been incurred and needed to be rectified. Reference checks will be completed after the physical evaluation and overall scores may be moderated accordingly.

Tenderers are to provide three suitable references in Annex B - Tender Form under section 5 e.

8. It is highly desirable that the EBT device can be customised to meet NZ Police requirements.

Tenderers are to provide details of previous customisations.

2 OPERATIONAL PERFORMANCE REQUIREMENTS

USEABILITY

9. It is highly desirable that the EBT device can be operated by anyone after 30 minutes of training.

Tenderers are to suggest how training can be best provided, from their experience with other organisations. Initial training by the successful Tenderer shall be provided to a small group of Police members within New Zealand and without further charge to Police, unless specified otherwise in the tender proposal.

10. It is highly desirable that the EBT device is easy to use by anyone and allows for the following requirements:

- a. The operator must be able to easily move between the three required modes of operation.
- b. The operator must be able to easily identify the mode of operation they are in.
- c. The operator must be able to choose any mode of operation at any time.
- d. An operator can initiate a test by pressing a single button, after which suitable prompts and full operating instructions on a screen display will lead the operator through the testing sequence.
- e. Suitable error messages, such as for calibration errors or detection of mouth alcohol must be displayed.
- f. An operator has the ability to retrieve test data in the event of a print failure.
- g. All data recorded by the EBT device can be downloadable in a general CSV or ASCII format to be accessible by Police or other formats as suggested by the tenderer.

Tenderers are to confirm the useability of their proposed EBT device and provide a high level process map indicating the process by which the equipment is operated and prompts that are displayed, including error messages. This should include detail of the data management process for retaining and downloading data. Examples of the display can be supplied.

EQUIPMENT CAPABILITY

11. It is highly desirable that mouthpieces fit securely. Mouth pieces must only allow a one way blow into the machine.

Tenderers are to confirm the mechanism by which the mouthpieces attach to the EBT device. These will be tested in field trials.

12. It is desirable that an alarm system is incorporated in the EBT device to notify when the power source is insufficient for completing a full test sequence. This must include allowance for power drain from all features operating.

Tenderers are to advise what warning systems their device has built into it.

13. It is desirable that the unique EBT device serial numbers have "NZ" as a component e.g. "NZ1234".

Tenderers are to confirm if it is possible to customise the serial number for EBT devices ordered by NZ Police.

14. It is desirable that the device ceases to operate a set number of days after it is calibrated.

Tenderers are to state whether the device can cease to operate based on calibration date.

15. The print capability for Evidential Breath Tests should be via Bluetooth to a NZ Police printer but may also be from the device itself. The output must be sufficiently flexible to print from other devices and be compatible with market printing standards.

Tenderers are to confirm the printing mechanisms that are possible from their device.

16. It is desirable that the EBT device is able to complete a subject's Evidential Breath Test in a reasonable time, and is ready to conduct the next subject's Evidential Breath Test within five minutes of the printing of the output message unless the device fails the calibration check.

Tenderers are to confirm the approximate time taken to complete a subject's test, and confirm the time within which the EBT device is ready to conduct the next subject's Evidential Breath Test.

17. It is desirable that NZ Police are aware of any ancillary equipment such as printers that may be available or functionality such as relates to retention and downloading of data.

Tenderers are to describe any ancillary equipment or functionality that their device offers that has not been specifically requested but which may be made available to NZ Police.

TRANSPORTATION

18. The EBT device and its transportation case should not weigh more than 5kg.

Tenderers are to confirm the weight of the EBA testing device proposed.

19. It is desirable that the EBT device is portable and able to be transported to a central service laboratory in a transit case, withstanding the normal impacts of courier transportation without any damage to the machine or interference with its accuracy.

Tenderers are to confirm the provision of a transit case and its construction; where available any relevant test results should be included i.e impact tests.

20. It is desirable that the physical dimensions of the EBT testing device transportation case do not exceed:

- a) 300mm length;
- b) 300mm width; and
- c) 100mm height.

Tenderers are to confirm the dimensions of the EBT device transportation case proposed.

21. To ensure that the effects of movement and motor vehicle crash damage do not render the device inoperative, the device must be able to survive up to five x 0.25G impact tests over a one hour period.

Tenderers are to confirm the impact test results of the EBT device proposed.

22. To ensure that the effects of movement and motor vehicle crash damage do not render the device inoperative, the device must be able to survive standard vibration test.

Tenderers are to confirm the vibration test results of the EBT device proposed.

3 OPERATOR INTERFACE REQUIREMENTS

While certain output/printout requirements must be met, it is intended that manufacturers incorporate this or similar software into existing options which they have developed.

23. It is highly desirable that the device should require the operator to enter their identification details (NZ Police QID, a 6 digit alpha numeric) prior to first operating the device. Each time the device is turned on it should prompt the operator to confirm their QID or to enter a new one.

Tenderers are to confirm if their EBT device allows an operator identifier and how this is entered, confirmed on start-up and changed.

24. It is desirable that the following **passive mode** requirements are met
- a. The result must clearly indicate clearly whether alcohol is detected.
 - b. Data retained in this mode is:
 - unique test identifier
 - unique device identifier
 - test type (passive, screening or evidential)
 - operator identifier
 - time/date of the test
 - test result
 - GPS location (if available).

Tenderers are to confirm on a point by point basis how their device meets the above passive mode requirements. Examples of the display can be supplied.

25. It is desirable that the following **screening mode** requirements are met:
- a. The commencement of a subject blowing a sample of breath should indicate to the EBT device that a screening test is underway.
 - b. Prompts should include insert mouthpiece and replace mouthpiece.
 - c. There should be an opportunity to provide a sample which will last for three minutes and which will use one mouthpiece. A subject may start blowing then stop any number of times but must within three minutes give a satisfactory sample;
 - d. If a satisfactory sample is not given, a message similar to "No Sample" or "Insufficient Sample" is to be displayed.
 - e. A subject may have more than one opportunity to provide a sample.
 - f. Following a satisfactory sample, the result must display as either "pass" (or similar wording) or a specified range of "under 250", "250+over" and "over 400".
 - g. Data retained in this mode is:
 - unique test identifier
 - unique device identifier
 - test type (passive, screening or evidential)
 - operator identifier
 - time/date of the test
 - test result
 - GPS location (if available).

Tenderers are to confirm on a point by point basis how their EBT device meets the above screening mode requirements. Examples of the display can be supplied.

26. It is desirable that the following **evidential mode usage requirements** are met:

- a. The screen display should indicate that the mouthpiece is to be changed before each specimen of breath is provided by the subject;
- b. Prompts should include insert mouthpiece and replace mouthpiece.
- c. An opportunity to provide a sample will last for three minutes. A subject may start blowing then stop any number of times but must, within three minutes, give a satisfactory sample (as required by the EBT device's sampling mechanism).
- d. If a satisfactory sample is not given, a message similar to "No Sample" or "Insufficient Sample" is recorded for the subject test (examples of printouts can be supplied on request).
- e. The subject must be able to provide more than one sample.
- f. The device must include an indicator for length of blow i.e. the volume pass.
- g. The EBT device should by default allow for two periods of providing a sample to be given but allow for more if required.
- h. Zero tests such as air blank tests are required before and after each subject test and before the calibration test. If the result is not zero then the test can not continue. Appropriate prompts are to be displayed to the operator.
- i. Internal calibration tests must be carried out automatically by the device before and at the conclusion of the evidential breath test (which will include one or more samples). In the event the EBT device fails its internal calibration checks, the operator must be advised and the device prevented from operating further.
- j. Data retained in this mode is:
 - unique test identifier
 - unique device identifier including model type and serial number
 - test type (passive, screening or evidential)
 - operator identifier
 - time/date of each test, including zero tests, calibration tests and breath sample test
 - the result of each subject test (this may be a breath alcohol level, "no sample" or "insufficient sample").
 - Evidential Breath Test Result, which is calculated according to the rules in Section B: mandatory criteria 8 of this document.
 - GPS location (if available).

Tenderers are to describe the testing sequence with all possible prompts and options. Tenderers are to confirm on a point by point basis that each requirement is met.

27. It is desirable that the following **evidential mode display requirements** are met:

- a. The breath alcohol level of each sample in a test sequence with a subject must be displayed.
- b. The Evidential Breath Test Result is based on assessing the samples taken and is calculated by the device according to rules specified in Section B: mandatory criteria 8 of this document.
- c. The result displayed on the EBT device must include the words "Evidential Breath Test Result" and be clearly identified as such by both the wording and the visual display.

- d. Evidential breath test results which are breath alcohol levels (some results will be text, such as for incomplete samples, calibration error etc) are to be shown in micrograms of alcohol per litre of breath (no breath/blood alcohol factors are involved) and the output must be given truncated to the lower whole number, e.g. 893.2 and 893.7 will show as either 893 or 0893. Normal experimental variation is to be allowed for.

Tenderers are to describe the display of results in evidential test mode including all possible options. Tenderers are to confirm on a point by point basis that each requirement is met. Examples of the display can be supplied.

28. It is desirable that the following **evidential mode printing requirements** are met:

- a. The operator must be able to request one or more printouts of the results, including all information entered and calculated. By default the device should print three copies or as determined by an operator.
- b. The print capability should be via Bluetooth to a NZ Police printer but may also be from the device itself.
- c. All breath alcohol levels must be shown in micrograms of alcohol per litre of breath (no breath/blood alcohol factors are involved) and the four figure output must be given with no rounding (subject to normal experimental variation). e.g. 893 will show as 0893.
- d. Units of measurement are not required on the result, but may be shown or indicated for breath sample and air blank lines.
- e. The printout should allow room for further information to be added by hand such as the location of the EBT device, the surname of the subject, the given names of the subject; and the operator's name.
- f. The printed result must include the words "Evidential Breath Test Result" and the result must be clearly identified as such by both the wording and the visual display (current printouts have a box around the result).

e.g. :

Evidential Breath Test Result 0585

or :

Evidential Breath Test Result Incomplete Test
--

Data to be printed in this mode is:

- unique test identifier
- unique device identifier including model type and serial number
- test type (passive, screening or evidential)
- operator identifier
- time/date of each test, including zero tests, calibration tests and breath sample test
- the result of each subject test (this may be a breath alcohol level, a "no sample" or an "insufficient sample").
- Evidential Breath Test Result, which is calculated according to the rules specified in Section B: mandatory criteria 8 of this document.
- GPS location (if available).

Tenderers are to describe the printing of results in evidential test mode including all possible options. Tenderers are to confirm on a point by point basis that each requirement is met. Examples of printouts can be supplied.

PHYSICAL DEVICE TESTING

Physical testing of the device will be performed on short listed tenderers handheld EBT devices. The device supplied for testing must be the model intended to be supplied by the successful tenderer for use out in the field, not a prototype or demonstration model. The following lists the criteria for which physical testing may be used to moderate the tenderers score:

MANDATORY CRITERIA

4	Accurate measurements
5	Measurement resolution
6	Evidential mode calibration checks
7	Evidential mode "zero tests"
8	Evidential Breath Test Result calculation
9	Retain data
10	Print
11	Time recording
12	No influence from external emissions or transmissions
13	Not radiate within specified frequency
14	Internal power source
15	Unique device serial number
16	Easily stored, carried and used
17	Three modes of operation
18	Passive mode pass/fail result
19	Screening mode bracketed results
20	Evidential breath alcohol result display

WEIGHTED CRITERIA

9	Usable after 30 minutes training
10	Easy to use
11	Secure mouthpieces
12	Alarm when power supply low
13	serial numbers have "NZ" as a component
14	Ceases when calibration overdue
15	Print capabilities
16	Test completes in reasonable time
18	Device weighs 5kg or less
19	Device is portable
20	Dimensions of transit case
21	Impact test results
22	Vibration test results
23	Requires operator identification number
24	Passive mode requirements
25	Screening mode requirements
26	Evidential mode usage requirements
27	Evidential mode display requirements
28	Evidential mode printing requirements

ANNEX B - TENDER FORM

1. TENDERER'S FULL LEGAL NAME									
2. TENDERER'S TRADING NAME (if any)									
3. TENDERER'S CONTACT PERSON	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Name:</td> <td style="width: 50%;">Phone:</td> </tr> <tr> <td>Position:</td> <td>Fax:</td> </tr> <tr> <td>Address:</td> <td>Email:</td> </tr> <tr> <td></td> <td>Mobile:</td> </tr> </table>	Name:	Phone:	Position:	Fax:	Address:	Email:		Mobile:
Name:	Phone:								
Position:	Fax:								
Address:	Email:								
	Mobile:								
4. TENDERER'S GST REGISTRATION NO.									

5. PROFILE OF TENDERER (<i>attach information if not enough room here</i>)							
a. Details of owners/ controllers	Names: Country of residence:						
b. Legal status	Limited liability company YES/NO Other? (specify)						
c. Financial/legal information	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">1. Bank:</td> <td style="width: 50%;">Contact person: Phone:</td> </tr> <tr> <td>2. Accountant:</td> <td>Contact person: Phone:</td> </tr> <tr> <td>3. Lawyer:</td> <td>Contact person: Phone:</td> </tr> </table>	1. Bank:	Contact person: Phone:	2. Accountant:	Contact person: Phone:	3. Lawyer:	Contact person: Phone:
1. Bank:	Contact person: Phone:						
2. Accountant:	Contact person: Phone:						
3. Lawyer:	Contact person: Phone:						
d. Insurance Types of cover held and \$ cover:	Third Party Liability Insurers name(s): Expiry date(s) of cover: Premiums paid to: (insert date)						
	Public Liability Insurers name(s): Expiry date(s) of cover: Premiums paid to: (insert date)						
	Motor Vehicle Insurance						

	Insurers name(s): Expiry date(s) of cover: Premiums paid to: (insert date)
	Other (specify) Insurers name(s): Expiry date(s) of cover: Premiums paid to: (insert date)

e. References (NZ Police may contact these people)	Major customers and referees:
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6. WILL ANY SUBCONTRACTORS BE INVOLVED?
YES/NO If yes, specify for each subcontractor: Who?: Value involved?: Extent of tasks involved?: <p style="text-align: center;"><i>(Attach information if not enough room here)</i></p>

7. WARRANTIES

8. QUALITY ASSURANCE				
<table> <tr> <td> a. Are you ISO 9000 series certified? </td> <td> YES/NO If yes, what series? </td> </tr> <tr> <td> b. When were you last independently audited? </td> <td> If no, other system used?: Date: By: </td> </tr> </table>	a. Are you ISO 9000 series certified?	YES/NO If yes, what series?	b. When were you last independently audited?	If no, other system used?: Date: By:
a. Are you ISO 9000 series certified?	YES/NO If yes, what series?			
b. When were you last independently audited?	If no, other system used?: Date: By:			

9. IS ANY LICENCE/PERMIT OR OTHER AUTHORISATION REQUIRED?
YES/NO If yes, specify:

10. CONTRACTUAL PROVISION & SERVICE LEVEL AGREEMENT ESTABLISHMENT

10.1 Following New Zealand Police National Tenders Board RFP evaluation outcome ratification and post-tender debriefings, discussions may be conducted to verify the preferred supplier's tender and its capability to provide the services. Subject to these discussions, Contractual Provisions and Service Level Agreement for Deliverables may be negotiated with the preferred supplier. Should a satisfactory final agreement be unable to be reached, New Zealand Police reserves the right, at its sole discretion, to progressively enter such discussions and negotiations with the next ranked respondent until achievement of an acceptable contract.

Noted and accepted

YES/NO

10.2 Would the Tenderer require consideration of any special contractual provisions?

YES/NO

If yes, specify below or attach

The Supplier **TENDERS AND OFFERS** to Her Majesty the Queen in right of New Zealand, acting by and through the Commissioner of Police ("**NZ Police**") to supply the requirements on the basis of this Proposal.

<p>The information provided is true and accurate at the time of submission of this proposal and will remain valid for at least [insert period] from submission of this Proposal</p>	SIGNED FOR THE TENDERER	
	<p>_____ (Signature)</p>	
	<p>Full name:</p> <p>Title:</p> <p>Location:</p>	
	DATED/...../.....

ANNEX C - PROPOSAL PRICING

PROPOSAL PRICING

The following template for pricing is provided as a guide only. The objective of this Request for Proposal (RFP) is to seek competitive tenders from Tenderers. Where a Tenderer has an alternative method of charging for the services that provides benefits to New Zealand Police (Police) this should be shown as an alternate price within this schedule.

1 Pricing Instruction

1. The objective of this RFP is to seek competitive tenders from Tenderers. Where a Tenderer has an alternative method of charging for the services that provides benefits to Police this should be shown as an alternate price within this schedule.
2. The tendered prices will include all costs and charges associated with the delivery of the solution.
3. The tendered prices will not include Goods and Services Tax (GST), which will be charged separately.
4. Prices are to be tendered in New Zealand dollars, and the Crown (represented by Police) will make contractual payments on that basis.
5. The total price will include delivery to Police on a DDP basis.
6. All assumptions in pricing the solution must be clearly stated.
7. NZ Police would be interested to understand whether the vendor is able to provide a lease option for the devices or alternatively provide the devices and associated services on an "as a service" basis. If so please provide a separate pricing proposal for each option.

2 Pricing Proposal

	Unit Price \$NZ				Estimated number of parts required
	1 Unit	100 Units	500+ Units	3000 units	
Complete EBT device					
A complete Device*					
Spare Parts (New) **					
Transportation cases					
Consumables **					

Disposable Mouth pieces	1 Unit	1,000 Units	100,000 Units	1,000,000+ Units	
Cards/printout rolls					

Software	Price NZ \$	Hourly Rate	Delivery Time estimate
Factory recommended software upgrades			
Maintenance/Service Costs	Price NZ \$	Hourly Rate	Delivery Time estimate
Damage or fault			5 working days upon receipt of equipment
Annual Calibration (price per calibration)			
6 monthly calibration (price per calibration)			
Training	Price NZ \$	Hours Required	
Provide one training session for 10 members of NZ Police in Wellington, NZ. Exclude the cost of travel and accommodation, and please indicate where the trainer will be coming from.			
Other Costs ***	Price NZ \$		

*A complete device as supplied to Police for evaluation including a transportation case and delivered to NZ Police. Please state the component costs of this price.

**Please list the specific details and costs for each piece of equipment in this section and include any other items that may be required

*** Please detail any other costs that may be associated with the delivery and use of the solution that are not included in other sections of this pricing table.

3 Payment Terms

1. Invoices will be paid on submission of a correctly rendered invoice.
2. The tenderer is to state when payment is required and any other proposed payment schedule for consideration. Police's standard payment practice is the 20th month following.

4 Price Adjustment Statement

1. Tenderers are to state any pricing adjustment methods that will apply for the unit rates throughout the life the contract.
2. Tenderers are to state any conditions/volumes or activities that will affect the unit rates throughout the life of the contract.