

# Market consultation

## **Mechanical aids**

**Reference: SSC IUC/DJI/INKEA/JW/2021-1**

**Date: 29 July 2021 V1.0**

## Introduction

As Contracting Authority, the Custodial Institutions Agency Procurement Implementation Centre (IUC DJI) intends to start a tendering procedure for mechanical aids.

Within the Custodial Institutions Agency (DJI), so-called mechanical aids can be used – under strict conditions – to restrict an inmate's freedom of movement through attachment of such mechanical aids to their body. This is possible if this restriction is necessary to avert serious danger posed by the inmate to their own health or the safety of others than the inmate themselves.

Before starting this tendering procedure, the Contracting Authority would like to discuss a number of subjects with the market. This, to obtain information pertaining to mechanical aids for the benefit of the Custodial Institutions Agency (DJI) to prepare for a potential (European) tendering procedure (among other things).

### The organisation

On behalf of the Minister of Justice and Security, the DJI is responsible for the enforcement of sentences and custodial orders imposed in a court judgement.

With 38 branches across the country and around 13,000 employees, the DJI is one of the largest agencies in the Netherlands. Annually, the DJI provides accommodation for around 37,000 inmates for a shorter or longer period.

For more information about the DJI, see: <https://www.dji.nl>

### The need

The purpose of this Market Consultation is, among other things, to get a good picture of the market where mechanical aids are concerned. Whether the Contracting Authority actually starts a (European) tendering procedure and, if yes, how or in which form the Contracting Authority will do so is still unknown. This will depend on the responses and answers to this Market Consultation, among other things.

The Market Consultation has advantages for all parties involved. The Contracting Authority will learn the possibilities and what is going on in the market. This can help formulating the requirements and properties of the supply/service asked for in a way that the market can offer it properly. In addition, we use the information we receive to determine the best suited tendering procedure.

Furthermore, through this Market Consultation we aim to get a good picture of the level of interest, and options and impossibilities of the market and services. This allows us to make a feasibility estimate and preconditions for any contract. The answers you give will serve as one of the sources of information for the potential European tendering procedure.

For the Entrepreneurs involved, there is the advantage that they can form an early picture of the Contracting Authority as an organisation and the objectives of the project. For instance, the market can influence requirements we include in the tender documents. This way, the Entrepreneurs help to increase the chance of success of the potential tendering process.

Every Entrepreneur that thinks they can contribute to the consultation can participate. In the period of 26 July 2021 to 31 August 2021 inclusive, IUC DJI would very much like to make use of your knowledge and experience. The questions IUC DJI has about mechanical aids are included in Chapter 3.

In addition, the purpose of the Market Consultation is to:

- find out whether the contract is feasible;
- find out what the current and future developments in the market are;

- find out whether there are innovative solutions for a problem;
- involve and interest Entrepreneurs in the tendering procedure at an early stage;
- test own principles and assumptions;
- test own ideas and directions for solutions;
- form a picture of visions, suggestions, and ideas Entrepreneurs have;
- form a picture of the interest the market has in the potential contract;
- determine which tendering strategy is the most suited.

The specific objectives the Custodial Institutions Agency Procurement Implementation Centre (IUC DJI) wants to achieve through this consultation are included in Chapter 1.

### Structure of this document

Chapter 1: describes the consultation

Chapter 2: contains information and submission instructions for the consultation procedure.

Chapter 3: the consultation questions.

| (Background) information for the Entrepreneur |                                               |
|-----------------------------------------------|-----------------------------------------------|
| Appendix A                                    | Principles and preconditions of consultation  |
| Appendix B                                    | Concept Schedule of Requirements Head Guard   |
| Appendix C                                    | Concept Schedule of Requirements Velcro Cuffs |
| Appendix D                                    | Concept Schedule of Requirements Velcro Belt  |

| Filling in and/or making additions electronically by Entrepreneur on TenderNed |                           |                              |
|--------------------------------------------------------------------------------|---------------------------|------------------------------|
| Appendix E                                                                     | Information Notice Format | According to enclosed format |

# 1. The consultation

## *Reasons for Market Consultation*

Within the DJI, so-called mechanical aids can be used – under strict conditions – to restrict an inmate's freedom of movement through attachment of such mechanical aids to their body. This is possible if this restriction is necessary to avert serious danger posed by the inmate to their own health or the safety of others than the inmate themselves.

Currently, the following mechanical aids can be used:

- protective helmet or foam helmet;
- padded gloves;
- mouth shield;
- wristbands and belt around waist;
- ankle cuffs;
- hand cuffs of a brand and type approved by the Minister of Justice;
- restraint bed.

Using the current mechanical aids, it is not possible to restrain inmates who need to be protected against themselves or others completely. The cuffs with belt and the ankle cuffs still give too much freedom of movement. As a result, the restraint bed must be employed as an ultimate remedy. Even though this aid is an effective one, it is also very far-reaching for both the inmate and staff. An additional problem is that the restraint bed is no longer available and replacing parts is no longer possible. By using Velcro cuffs and a Velcro belt fully in combination with a head guard, it is possible to use them as a humane alternative for the safety bed.

Thus, a pilot took place in 2017 and 2018 for the use of alternative mechanical aids, namely Velcro cuffs, Velcro belt and a head guard. The pilot was successful with respect to testing and working with the Velcro cuffs and Velcro belt, and a head guard made for the pilot. The success of Velcro cuffs and Velcro belt was that the respondents described them as humane compared to the current aids.

User friendliness of the alternative mechanical aids is also an important advantage. Velcro cuffs and a Velcro belt are easy to apply. Moreover, the lack of a mechanical lock was experienced as positive. Another expected advantage is the muffling effect (like muffling up babies). As a result of this effect, inmates are expected to stay in the mechanical aids shorter, which is also a gain in terms of humanity. The current foam helmet is easy for the inmate to remove and staff must then put it on again. The helmet that was used during the pilot could not be removed. Moreover, it could be furnished with a spit mask to protect staff.

## **Scope**

The scope of the contract is the supply of the following mechanical aids:

1. Velcro cuffs to replace the wristbands.
2. Velcro belt to replace the waist belt.
3. Alternative head guard to replace the protective helmet or foam helmet.

## **Objective**

The Contracting Authority aims to achieve the following objective through the contract:

- to have access to improved mechanical aids (more humane, easier to apply), namely Velcro cuffs, Velcro belt and an alternative head guard;
- conclude an agreement with a producer of mechanical aids.

## 2. Consultation procedure

By participating in this consultation, you unconditionally agree with the starting points and preconditions as laid down in Appendix A.

### 2.1 Planning

For this consultation, IUC DJI uses the planning below:

| Activity                                              | Ultimate date                                  |
|-------------------------------------------------------|------------------------------------------------|
| Sending consultation                                  | Thursday August 29 <sup>th</sup> 2021          |
| Ultimate date for submitting questions                | Tuesday August 10 <sup>th</sup> 2021, 1.00 PM  |
| Answers to questions (information notice)             | Monday August 16 <sup>th</sup> 2021            |
| Ultimate submission date for reaction to consultation | Tuesday August 24 <sup>th</sup> 2021, 12.00 PM |
| Planned interviews*                                   | Tuesday 31 August 31 <sup>st</sup> 2021        |

\* participants will be informed in good time about content, place, and date, and time, among other things.

No rights can be derived from the above planning. IUC DJI may change this planning mid-process if there is a reason to do so. Therefore, the planning is indicative, while care is taken to adhere to the planning.

### 2.2 Information

In case the consultation document leads to questions and/or a lack of clarity, you are given the opportunity to ask questions. You can submit your questions and/or comments on TenderNed via the 'message module' (Berichtenmodule) under the subject concerned no later than the date included in the planning.

For this purpose, fill in Appendix E, 'Information Notice Format'. We do not answer any questions you ask by telephone.

No later than the date recorded in the planning will the information notice containing the answers to the question be published on [www.tenderned.nl](http://www.tenderned.nl). The submitted questions will be rendered anonymous in the information notice.

The contact person at IUC DJI is Jermaine Walker. Correspondence must take place via the message module on TenderNed.

### 2.3 Submitting a reaction to the consultation

Participants are asked to submit the answers to the questions included in Chapter 3 on TenderNed via the message module (Berichtenmodule). You are requested to submit your reaction no later than the date laid down in the planning.

In response to the submitted reactions, IUC DJI keeps the option open to invite participants to give (oral) supplementary explanation of the information submitted by them. This can be done through a plenary session or on the basis of individual interviews in the form of a presentation and/or supplementary questions.

IUC DJI is expressly not required to invite every participant for further explanation, or give reasons why a party has or has not been selected.

### 2.5 Completion of consultation

IUC DJI will complete the consultation by publishing a report of the consultation in public on [www.tenderned.nl](http://www.tenderned.nl). This report will include the most important conclusions of the consultation in the opinion of the project team.

In connection with this report, IUC DJI expressly wants to make participants aware of the following:

- The report will be published publicly. Participants grant IUC DJI permission to use their answers and other information and/or data provided by them as input for this report;
- The information will be rendered anonymous in the report. The report will, however, state the participating market players.
- The report contains the conclusions as expressed by IUC DJI. (The content of) the report will not be coordinated in a draft with the participants. However, the report will mention that it concerns a representation of the project team and that it is not necessarily shared with the participants.

### 3. Questions

The Contracting Authority has various questions. The list of questions was drawn up carefully and is shown below. Answering it requires some of your time. We appreciate it very much. If it leads to a tendering procedure, we expect the tendering procedure to be well-aligned with the expectations in the market.

We would like to achieve the objectives as stated in this Market Consultation Document through the questions below and the answers we receive to them.

#### Questions about the contract:

1. Could you indicate the costs of the Velcro cuffs, Velcro belt and Velcro head guard? This based on the requirements laid down in Appendices B, C, and D.
2. Are the products you can supply certified? If yes, which certificate does the product have?
3. Can you offer another product than the Velcro cuffs and Velcro belt? If yes, what are the advantages of it compared to the Velcro cuffs and Velcro belt?
4. Are these products already being used in a comparable setting/institution?
5. If you offer helmets, are they already being used in a comparable setting/institution?
6. Do the products you offer require training? If yes, can you provide this training according to the '*train the trainer*' principle?

#### Other questions

7. Sustainable, social, and innovative procurement is from now on the standard for the Central Government. How can you contribute to the Government's Socially Responsible Procurement goals?
8. What do you think about this Market Consultation? What can we do and/or ask better in the future?