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Guidelines on the use of accessibility award criteria suitable for public procurement of ICT products and services in Europe



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Foreword

This Technical Report (TR) has been produced by ETSI Technical Committee Human Factors (HF).

Introduction

The present document was prepared in response to Phase 2 of Mandate M 376 [i.21] from the European Commission to CEN, CENELEC and ETSI.

The primary objective of this Mandate was to produce a European Standard (EN 301 549 [i.19]), hereafter, for the purpose of the present document, called "the EN", that sets out in a single source, detailed practical and quantifiable functional accessibility requirements that take note of global initiatives in that field and which are applicable to all ICT products and services identified in Phase I and usable in public procurement.

The present document is one of the Technical Reports that supports the EN by giving guidance to procurers on the award criteria relevant to each area of user needs in the products and services under consideration.

A second Technical Report, (TR 101 550 [i.20]), lists the standards and technical specifications used in the creation of the compliance requirements for accessibility set out in the EN. It also provides a source reference for other documents needed to implement the test procedures required by the EN together with those testing methods necessary to implement them.

1 Scope

The present document gives guidance to procurement authorities intending to purchase ICT products and services on the use of award criteria relevant to each area of user needs in the public procurement of ICT products and services. It particularly deals with those aspects of any contract that are related to the functional accessibility requirements of ICT products and services that are dealt with in EN 301 549 [i.19].

The guidance provided in the present document is based on the assumption that the accessibility requirements of EN 301 549 [i.19] are applicable to a given procurement situation. Possible exceptions to the application of the EN to public procurement (e.g. national security, maintenance, repair, or occasional monitoring) are dealt with in TR 101 550 [i.20].

Aspects of award criteria that do not deal with accessibility in public ICT procurement in Europe are outside the scope of the present document.

2 References

References are either specific (identified by date of publication and/or edition number or version number) or non-specific. For specific references, only the cited version applies. For non-specific references, the latest version of the referenced document (including any amendments) applies.

Referenced documents which are not found to be publicly available in the expected location might be found at <http://docbox.etsi.org/Reference>.

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2.1 Normative references

The following referenced documents are necessary for the application of the present document.

Not applicable.

2.2 Informative references

The following referenced documents are not necessary for the application of the present document but they assist the user with regard to a particular subject area.

- [i.1] Case 31/87 "Gebroeders Beentjes BV V State of the Netherlands", 28 January 1987.
- [i.2] Case C-513/99 "Concordia bus Finland", Judgement of the court 17 September 2002.
- [i.3] Case C-448/01 "EVN AG and Wienstrom Gmbh v Republic of Austria".
- [i.4] Case C-532/06 "Emm. G. Lianakis AE and others v Dimos Alexandroupolis and others", 28 January 2008.
- [i.5] Commission Regulation (EC) No 2195/2002 of the European Parliament and of the Council of 5 November 2002 on the Common Procurement Vocabulary (CPV) (OJ L340/1 - 16.12.2002).
- [i.6] Commission Regulation (EC) No 2151/2003 of 16 December 2003 amending Regulation (EC) No 2195/2002 of the European Parliament and of the Council on the Common Procurement Vocabulary (CPV) (OJ L 329/1 - 17.12.2003).
- [i.7] Commission Regulation (EC) No 1422/2007 of 4 December 2007 amending Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the award of contracts (OJ L 317/34 - 5.12.2007).

- [i.8] Council Directive 71/305/EEC of 26 July 1971 concerning the coordination of procedures for the award of public works contracts (L 185 - 16.08.71).
- [i.9] Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (L 395/33 - 30.12.89).
- [i.10] Council Directive 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts (L 209/1 - 24.7.92).
- [i.11] Council Directive 93/36/EEC of 14 June 1993 coordinating procedures for the award of public supply contracts (L 199/01 - 9.8.93).
- [i.12] Council Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts (L 199/54 - 9.8.93).
- [i.13] Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (L 199/84 - 9.8.93).
- [i.14] Directive 2004/17/EC of the Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (L 134/1 - 30.4.2004).
- [i.15] Directive 2004/18/EC of the Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (L 134/114 - 30.4.2004).
- [i.16] Commission Directive 2005/51/EC of 7 September 2005 amending Annex XX to Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC of the European Parliament and the Council on public procurement (L 257/127 - 1.10.2005).
- [i.17] Commission Directive 2009/81/EC of 7 September 2005 amending Annex XX to Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC of the European Parliament and the Council on public procurement (L 257/127 - 1.10.2005).
- [i.18] ETSI EG 201 013: "Human Factors (HF); Definitions, abbreviations and symbols".
- [i.19] CEN/CENELEC/ETSI EN 301 549: "Accessibility requirements suitable for public procurement of ICT products and services in Europe".
- [i.20] CEN/CENELEC/ETSI TR 101 550: "Documents relevant to EN 301 549 "Accessibility requirements suitable for public procurement of ICT products and services in Europe".
- [i.21] European Commission "M/376 Standardisation Mandate to CEN, CENELEC and ETSI in support of European accessibility requirements for public procurement of products and services in the ICT domain".

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