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Tender

P2315 - Examination and of Testing of Electronic Cigarettes Seized by BCC Trading Standards Officers

Birmingham City Council

UK4: Tender notice - Procurement Act 2023 - [view information about notice types](#)

Notice identifier: 2025/S 000-028273

Procurement identifier (OCID): ocds-h6vhtk-052865

Published 28 May 2025, 5:25pm

Scope

Reference

P2315

Description

Birmingham City Council (the Council) is seeking for organisations to submit a quotation for: "P2315 Examination and of Testing of Electronic Cigarettes Seized by BCC Trading Standards Officers".

Introduction

The Council requires a supplier for the provision of a service for examination of electronic cigarettes ("Vapes") seized by Birmingham City Council's Trading Standards Officers to check the electronic cigarette are compliant with the law.

Trading standards is a statutory function within the local authority, and they enforce over 300 pieces of consumer protection legislation. The local weights and measures authority in Birmingham City Council (trading standards) has a statutory duty to enforce the

provisions of The Tobacco and Related Product Regulations 2016. Under the provisions of this legislation it is a criminal offence for traders to supply a vape which does not comply with product requirements under regulation 36 (2) (b) of the Tobacco and Related Products Regulations 2016. These requirements are that the nicotine-containing liquid in the single use cartridge, or tank volume must not exceed 2 millilitres, and the capacity of the tank must not exceed 2 millilitres. If the electronic cigarette tested fail one of these tests, then the retail or wholesale supplier selling the electronic cigarette is in contravention of Regulation 48(d) of The Tobacco and Related Products Regulations 2016.

As such Trading Standards service have a duty to enforce this legislation by way of carrying out inspections at retail and wholesale premises. Where non-compliant items are found they are seized and sent off for testing to an accredited laboratory which is able to test for nicotine quantity and tank capacity. The supplier providing the accredited laboratory also has also to provide an expert report and witness statement that can be used in a criminal court case. On average, from a retail trade inspection, officers can seize an average of 400 electronic cigarette per premise. A sample of the seized electronic cigarette are sent off for examination. The aim of this procurement exercise is to contract a supplier with an accredited laboratory to carry out the testing of electronic cigarette seized by BCC trading standards officers.

Requirements/Specification

The supplier must be part of an accredited test house (e.g., UKAS) and carry out testing to ISO/IEC standards with suitably qualified staff and systems in order to test electronic cigarette to find out whether:

1. The tank capacity size containing the liquid is greater than 2 million millilitres (tank capacity of 2 million ml or less is required by section 36(2)(b) of The Tobacco and Related Products 2016 Regulations).
2. The Nicotine concentration is greater than 20.00mg/mL (nicotine concentration of 20.00mg/mL or less is required by section 36 (4) of the Tobacco and Related Products 2016 Regulations).

The supplier must be able to produce a comprehensive analytical report about the findings derived from testing the electronic cigarette (with full evidential traceability of samples) and supply this report to BCC Trading Standards. The report needs to confirm if the electronic cigarette tested is complaint or non-complaint with the Tobacco and Related Products 2016 regulations.

This report will be appended by Trading Standards Service along with a separate witness statement that is provided by the test house exhibiting the full test report and analysis of the non-compliant electronic cigarette. This is required by the investigating officer as part

of the evidence supplied to court. By providing this report, the test house confirms the electronic cigarette have been analysed and they are prepared to attend court to give evidence to support the report's findings (if necessary).

The supplier should be able to test the electronic cigarette and produce the resulting report within 14 days of receiving samples from the Council.

The average, sample size the Council will send to the supplier for testing will consist of 10-15 electronic cigarette. Trading Standards normally carries out around 4 inspections a month. The supplier should be able to cope with testing this volume of products.

The Council will be using its free to use e-tendering system (in-tend) for the administration of this procurement process and potential suppliers must register with the system to be able to express an interest. If you wish to express an interest in this opportunity please click on the following link to access <https://in-tendhost.co.uk/birminghamcc/> and submit your details to register.

You will then be able to log on which will enable you to download all relevant quotation documentation. If you are unable to register with In-tend or have any questions or problems on how to use this web site please either email us at: etendering@birmingham.gov.uk.

Your completed quotation submission should be returned by 12pm on 18th June 2025 via the 'in-tend' system <https://in-tendhost.co.uk/birminghamcc>

Total value (estimated)

- £30,000 excluding VAT
- £36,000 including VAT

Below the relevant threshold

Contract dates (estimated)

- 21 July 2025 to 21 July 2026
- 1 year, 1 day

Main procurement category

Services

CPV classifications

- 15991300 - Cigarettes
- 71632000 - Technical testing services
- 71900000 - Laboratory services
- 73111000 - Research laboratory services
- 73430000 - Test and evaluation

Contract locations

- UKG31 - Birmingham

Participation

Particular suitability

Small and medium-sized enterprises (SME)

Submission

Enquiry deadline

11 June 2025, 12:00pm

Tender submission deadline

18 June 2025, 12:00pm

Submission address and any special instructions

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Tenders may be submitted electronically

Yes

Award criteria

Quality will account for 70% of the overall award criteria. Price will account for 30% of the overall award criteria.

Procedure

Procedure type

Below threshold - open competition

Contracting authority

Birmingham City Council

- Public Procurement Organisation Number: PCJJ-4826-QMLZ

Council House, 1 Victoria Square

Birmingham

B1 1BB

United Kingdom

Contact name: Commercial and Procurement

Email: etendering@birmingham.gov.uk

Website: <http://www.in-tendhost.co.uk/birminghamcc>

Region: UKG31 - Birmingham

Organisation type: Public authority - sub-central government