

Trial location

A trial phase is a real-life situation used for testing innovative solutions for your organisation. A trial phase could be at a physical location, such as a street or building, but it could also be within a digital environment. As the contracting authority, you decide the rules that the tenderers for the solutions must observe.

1. When do you use a trial phase?

A trial phase is useful where a real-life situation is the only way to see if a solution actually works. This may be the case if the real-life situation is so complex that it cannot be replicated in laboratory conditions. A trial phase gives your suppliers the opportunity to prove the effectiveness of their innovations in a real-life situation. This can convince you, as contracting authority, of the effectiveness of a solution. Market parties are given the chance to showcase their innovative solutions, not just to the party organising the trial phase, but also to other parties. A trial phase reduces the risks taken by the contracting authority by, for example, revealing the teething troubles of a solution.

In short, you could set up a trial phase as:

- A way of testing innovations and developments in real-life situations.
- A strategic examination of the opportunities for innovation. In this way you also get the market to think along these same lines.

A trial phase is for a limited period, during which solutions are tested. The cost of a trial phase for smaller projects and procurement volumes can soon become relatively high, and it is therefore sensible to see whether you could carry out various tests at the same time in the same trial phase. This depends, of course, on the 'testing capacity' of the trial location.

Alternatives to a trial phase could be a test purchase or pilot. If, for example, you are considering changing to energy-efficient lighting, you could install this in one room and test its performance before replacing all lighting.

2. Step-by-step plan

We set out below a step-by-step plan for setting up and completing a trial phase. We assume for the purposes of this instrument that a Need analysis and a Market survey have been carried out and you are therefore clear about what you want to achieve with the trial phase and what, in general terms, the market can offer.

Step 1: determine the scope of the trial phase

The following choices are dependent on the relevant situation:

- **Category choice:** what solutions do you wish to test? Do you want to set up the trial phase for one category (e.g. LED street lighting) or for several categories (e.g. lighting, seating and cleaning services)? Or is it a policy these you wish to investigate, such as a new style of working? In making a choice, focus not only on the expected procurement volume, but also on the strategic importance of the

solution for your own organisation and estimate the expected benefit of the innovation for your organisation.

- Open or closed: will all parties participate? Or will you attach criteria for participation? Possible criteria to consider are:
 - *Size of business*: do you want to deal with big, established parties, or do you in fact wish to give SMEs a chance?
 - *Type of solution*: do you want to test all solutions, or just those solutions, for example, that rely on a specific technology? You can choose to test unusual solutions, such as IT solutions for a problem for which, up to now, services had been procured.
 - *How established the solution is*: define the development stages of the solutions that are to be admitted to the trial phase. If you admit solutions that are in the early stages of development, you give brand new innovations a chance. By testing more established solutions, there is a greater chance that the solution can be delivered within a foreseeable period.
You can define the different development stages as follows:
 - New solutions/ innovations to be developed
 - Prototypes
 - Demo models
 - As yet unapproved products
 - Approved products prior to market launch
 - Products available on the market

Step 2: decide on payment

Suppliers are not always paid for participating in the trial phase, since a trial phase is, after all, a supplier's opportunity to showcase its solution in a real-life situation. In some cases you could reimburse part of the necessary investment. If suppliers themselves are required to invest a lot of money, then this may discourage some from participating. You need to decide whether or not this is a desirable outcome.

Step 3: analyse the risks

A trial phase is not an exercise. New products or services are actually implemented and used in a trial phase. You therefore need to analyse the possible risks involved in the process and implementation. You can then decide what risks are the responsibility of the contracting authority and what risks are the responsibility of the suppliers. Appropriate agreements need to be drawn up. The EU has produced a report concerning risk management in the procurement of innovation, which you can read [here](#).

Step 4: decide the criteria for selecting and assessing suppliers

We set out below the criteria you could use for the selection of parties for participation and the assessment of their tenders and performances in the trial phase.

Criteria for selecting the parties to participate

If you have chosen a closed trial phase (see step 1), you will need to make a first sifting of the submitted tenders. Do they satisfy the criteria applying to all tendering parties? A limit is often

placed on the number of parties that can participate in a trial phase. Decide on the appropriate selection criteria. Perhaps lots could be drawn, or participation could depend on the date of submission of tender or on the content of the proposal.

As regards content, there are various methods of selection. If you want a spread of types of solution, we recommend that you indicate in your communications the categories and the number of solutions that you wish to see represented as a minimum. You could also assess the expected impact on the problem. How successful do you anticipate that the solution will be? You could also look into expected user-friendliness, aesthetics or the potency of the solution outside the trial phase. Does the solution have business potential? Provided that you work in an open, fair and transparent way, you will be able to make a considered choice of participating parties. For inspiration, check the assessment process in the instrument SBIR/PCP.

Criteria for assessing the solutions after the trial phase

On what criteria will you base an assessment of the solutions? You could make a distinction between testing (does the solution work?) and evaluation (how well does the solution work and what could be improved?). The criteria may be qualitative and quantitative. You could include in your research, for example, a measuring system or a questionnaire for end users. Consider carefully the conclusions you want to be able to draw from the results. What makes the trial phase a success? For suppliers, it is useful to apply measurement data from real-life situations. If there is competition during the trial phase or the results are to be published, it is necessary to have discussions with the suppliers about how the measurement data is to be used. Consider at an early stage the necessary measurement setup and what the practical consequences are for the choice of trial location, suppliers and the solutions.

Step 5: select a trial location

Choose a location that is suitable for a trial phase. This location must be appropriate to the problem for which the solutions are being tested. This could be a physical environment, such as a street, road or workplace, but it could also be a digital environment. Choose an environment that is normative, but where ultimately there is room for a problem to be solved. Remember that the solution should be able to fail and that performances must be measurable. A trial phase that focuses on the detailed measurement of performances is also known as a [living lab](#).

Step 6: soliciting suppliers

You should then approach suppliers. Use trade journals, trade fairs and the networks of experts within your own organisation to encourage parties to participate. The regular media can also be used to bring the message to the attention of participating parties. In the Netherlands you can use the [Innovatiemarkt](#) portal to bring this project to the attention of businesses and governmental bodies engaged in innovation. You can also organise a meeting with the interested parties, and thus offer suppliers the opportunity to form consortiums. Such a meeting can also generate additional support from within your own organisation.

Step 7: removing obstacles

You have now invited the participating market parties to demonstrate their solutions during the trial

phase. What could prevent a supplier from presenting its solution? Consider whether there are any obstacles that you could remove. Measures that you could take to facilitate the suppliers include:

- A single contact point
- Advice on licences
- Communication with end users
- Point out the possibility of grants from third parties (e.g. [Chamber of Commerce](#), [Netherlands Enterprise Agency](#))
- Make relevant experts within the contracting authority available

In this way you can assist businesses in participating. This is an aspect of the added value that you can offer to businesses.

Step 8: make agreements with suppliers

Agree the following matters with the suppliers:

- User rights during and after the trial phase
- Use of energy and materials during the trial phase
- Intellectual property
- Safety
- Liability
- Other rights, obligations and responsibilities

Step 9: assist suppliers in the implementation of their solutions

At the start of the trial period the contracting authority should assist in the implementation of the solutions in the test environment. During this period the contracting authority will support the suppliers in accordance with the terms of agreement listed above.

Step 10: testing and measuring

The trial phase offers the opportunity for solutions to be tested. This can be done with a measurement setup or via end users. This will enable suppliers to receive immediate feedback, which is of great value. You could consider appointing a test panel of users to give feedback. Ensure that solutions that are aimed at the same problem are tested according to the same criteria.

Step 11: evaluation and results

Evaluate and document the solutions with the relevant parties. Pay particular attention to use and maintenance. Do the innovations lead to the desired result?

Ensure that no supplier is at an advantage in the award of any contracts by virtue of its participation in the trial phase. However, a result of the trial phase may well be that you thereafter word the tenders differently for the purposes of allowing one or more innovations from the trial phase.

Following a trial phase you have a clearer picture of the future fulfilment of needs and a picture of the responses from users. The experience with the solutions can lead to products and services being procured differently in the future.

3. Legal framework

There are established tendering processes specifically designed for a trial phase. It is sometimes useful to use processes developed for (relatively) comparable instruments, such as a design contest. What turns out to be a normal tender, separate from the trial phase, has no consequences for the design of the trial phase, provided that other parties may also participate in the tender. It is important, however, that the information supplied is transparent, so that other parties that have not participated in the trial phase can compete on equal terms for future contracts.

4. Source

This information was taken from the “Innovation Procurement for Contracting Authorities” document that was prepared by [PIANOo](#) in 2017.