

Olympic Equipment Re-evaluation Procedure: Windsurf event

1. Background

- 1.1. The scope and background to this Olympic Equipment Re-evaluation Procedure is detailed in Regulation 23.6 as approved by World Sailing Council during the 2017 Annual Conference in Mexico.
- 1.2. Under the Regulation, the Board shall carry out re-evaluations of the equipment selected for the Olympic Sailing Events which have been placed under re-evaluation.
- 1.3. In January 2018, the Board placed the Men and Women's Windsurfer and the Men and Women's One Person Dinghy equipment under re-evaluation.
- 1.4. The Board also approved reviews of any other equipment where the associated Class and manufacturers have not entered into the 2024 Olympic Classes Contract.
- 1.5. In February 2018, Council approved the events to be reviewed under Regulation 23.1(b) which included the Men and Women's Windsurfer.
- 1.6. For this Olympic Antitrust Re-evaluation Procedure to apply to the Men and Women RS:X, the events and associated equipment must be retained under Regulation 23.1(c).

2. Proposed Working Party

- 2.1. According to the Regulation, the authority for this procedure and the final recommendations to Council falls to the Board.
- 2.2. It is envisioned that significant work will require equipment and legal expertise, therefore a Working Party will be appointed by the Board to the task.
- 2.3. The proposed composition of the Working Party is:
 - 2 Vice-Presidents.
 - Chairman of the Equipment Committee.
 - One additional Equipment Committee member.
 - Inshore Technical Manager
 - One Technical and Offshore Department Technical Specialist.
 - A representative of the Constitution Committee
- 2.4. In addition, the Legal & Governance Department will advise the Working Party as required.

3. Procedure outline and timeline

3.1. Procedure Outline

- 3.1.1. This procedure and the criteria included in it shall be subject to approval by the Board.
- 3.1.2. General equipment criteria and specific criteria on equipment suitability to each of the events under re-evaluation shall be recommended by the Equipment Committee.
- 3.1.3. This procedure and the equipment criteria recommendations shall be approved by Council during the 2018 Annual meeting based on recommendations of the Board and the Equipment Committee.
- 3.1.4. Following Council approval, the Technical and Offshore Department will publish and publicise Invitations to Tender that include equipment criteria recommendations and other required documentation.
- 3.1.5. All bids received will be reviewed and scored by the Working Party against the approved and published criteria. The results of the bid evaluation will be put forward to the Board for a selection of the shortlisted bids.
- 3.1.6. Shortlisted bidders will be informed of their continuance in the process and encouraged to improve, revise and correct any non-compliances.
- 3.1.7. Visits to the shortlisted manufacturing yards will be performed by Technical and Offshore Department staff. Reports of each yard visit will be produced.
- 3.1.8. Any shortlisted bidder may amend their proposal by correcting any potential non-compliance and adopting best competitive practices before final reports are due to the Board.
- 3.1.9. A final report will be made to the Board along with the recommendation of the Working Party.
- 3.1.10. The Board will make a recommendation to Council on whether to retain, evolve or select new equipment for the events being re-evaluated under this procedure.
- 3.1.11. Council will make final decision on the equipment for the re-evaluated events. This finalizes the re-evaluation.
- 3.1.12. If a decision to evolve or select new equipment is made, the Equipment Committee and the Technical and Offshore Department will then schedule and program equipment selection trials amongst the shortlisted bidders. Details of the trial process will be published in due course. Final decision on the equipment will be made by Council following Equipment Committee recommendation.

3.2. Timeline

Re-evaluation Procedure Board recommendation to Council	2 nd November 2018
Equipment Committee equipment criteria recommendation to Council	2 nd November 2018
Council decision on procedure and equipment criteria	2 nd November 2018
Publication of Invitations to Tender	15 th December
Bid closing date	1 st February
Documentation review report and initial evaluation to Board	8 th February
Publication of shortlisted candidates	15 th February
Shortlisted candidates yard visits	March
Shortlisted improved bid deadlines	1 st April
Yard reports and final evaluation to the Board	1 st May
Final Board recommendation to Council published	10 th May
Council decision on equipment for the re-evaluated events	May 2019
If Council decision is to evolve or select new equipment: equipment trials	During 2019
Equipment recommendation and Council decision	No later Nov 2019

4. Market Criteria

4.1. The following considerations and criteria shall be evaluated in the documentation phase:

- 4.1.1. Requirement to pre-sign the 2024 Olympic Classes Commercial Undertakings.
- 4.1.2. The equipment market situation, particularly if the bidding equipment is:
 - a) Free to be manufactured worldwide without restriction.
 - b) Manufactured by licensed builders free of charge after achieving certain production standards. Number, capacity and location of builders licensed worldwide.
 - c) Manufactured by licensed builders at a cost (Royalty fee) after achieving certain production standards. Number, capacity and location of builders licensed worldwide.
 - d) Manufactured by a list of approved production suppliers selected regularly in competing terms to a technical specification. Number, capacity and location of registered production suppliers.

- e) Single manufacturer worldwide. Capacity, location and justification of the reason why selecting the monopoly would benefit the consumer and/or the sport.
 - f) Other arrangements limiting competition to the bidding equipment market.
- 4.1.3. Intellectual property ownership considerations.
 - 4.1.4. 5 year history of warranty claims and resolution.
 - 4.1.5. Ratio of Manufacturing Cost to Retail Price.

5. Equipment Criteria

- 5.1. The criteria in this section is to be detailed and recommended to Council by the Equipment Committee.
- 5.2. Main consideration should focus, for each event, on:
 - 5.2.1. General Olympic equipment criteria.
 - 5.2.2. Specific event equipment requirements.
 - 5.2.3. Event equipment comparison to the equipment in other events secured for 2024 Olympic Sailing Competition.
 - 5.2.4. Technical suitability to the event.
- 5.3. The criteria for the equipment in each event shall be part of the invitation to tender, including the percentage scoring weight of each of the criteria variables, if not equally scored. These will be set by the Working Party and notified to the Board.
- 5.4. Technical viability of the proposal.

6. Invitation to tender document

- 6.1. An invitation to tender document will be produced for each equipment under re-evaluation including the following:
 - 6.1.1. A description of the process, timeline and criteria.
 - 6.1.2. Request for enough documentation to accurately evaluate the antitrust and equipment criteria.
 - 6.1.3. Request for payment of an application fee.
 - 6.1.4. Request for payment of reasonable expenses for a World Sailing representative to visit the production site if shortlisted.
 - 6.1.5. An opportunity to amend the non-compliance and improve scoring parameters if shortlisted.

7. Board Recommendation

- 7.1. The Board will evaluate the bids on two occasions (based on an objective scoring against the criteria and the report of the Working Party):
 - 7.1.1. Following initial documentation phase, in order to shortlist the most suitable candidates.
 - 7.1.2. Following bid improvement and manufacturing site visits of shortlisted candidates.
- 7.2. Following the second bid evaluation, the Board will produce a recommendation to Council on the equipment for each event. If the decision is to evolve or select new equipment, the Board will include criteria for the selection trials and evolution trials to be detailed and run by the Equipment Committee.