

CLARIFICATION TO TENDER: N° 02

“Auditing, Incident Reporting Framework and Cyber Security Strategies”

ENISA P/28/11/TC D

Questions & Answers

Q1:	What is exactly meant by “regulatory use case” (Tender specifications document, page 8)?
A1:	<p>Regulators will supervise the compliance of telcos to the updated telecom directive. Regulators will hence deploy different activities in this context (depending on the setting): giving guidance to telcos about how to comply, giving guidance to third party auditors about how to audit compliance, auditing compliance actively, checking compliance documentation, investigation after an incident, etc.</p> <p>This what we mean by the regulatory use cases - we expect the work of regulators, in ensuring that telcos comply, can be split in 6-7 use cases. Some context can be found also in section 4 of https://www.enisa.europa.eu/act/res/reporting-incidents/minimum-security-requirements where different scenarios are sketched covering one or more use cases.</p>
Q2:	Should the GANTT charts be included in the proposal or can they be provided prior to the kick off meeting (we read contradictory statements here over)?
A2:	<p>The contractor should give a GANTT chart as part of the Tender offer. In general we expect the contractor to go into details about how it intends to tackle the work.</p> <p>The GANTT chart will be fine-tuned with the successful contractor at the kick off meeting.</p>

Q3:	What is exactly meant by the footnotes nr 4/5/7 of the Tender specifications document?
A3:	The footnotes refer to a scenario that in case of unforeseen circumstances in which the particular project is extended in scope after the awarding of the contract, there may be the possibility of ordering further services under the existing contract. The clause is inserted for legal clarity in case this unlikely event should nevertheless occur.
Q4:	In Lot 3: could you please specify how many interviews are expected to be conducted, also in the light of the budget?
A4:	There is not an exact number. It is at the Contractor's discretion. The important thing is that all relevant content, i.e. at least 6 relevant topics (see page 20 of the Tender), will be explored in detail.
Q5:	It is not clear to us how many virtual venues are expected to take place, and with which frequency: see page 20 of the Tender Specifications document, paragraph 3.2.1.
A5:	There is not an exact number. It is at the Contractor's discretion. The important thing is that all relevant content will be explored in detail.
Q6:	We assume that the bi-weekly telcon take place every fortnight is this correct?
A6:	Yes, it is correct.
Q7:	Page 25 of the Tender Specification document, task 2, 2nd deliverable: what is exactly meant by this deliverable?
A7:	The 'Document describing the involvement and implementation of the outcome of the interviews and WG discussions' should describe how the contributions collected from the interviews and the WG has been used or not. The Meeting minutes related to the interviews and WG activity should be part and used for producing this document.
Q8:	The article I.9 of the draft Service Contract states that the contractor shall assign ownership of any Intellectual property rights (IPR) related to the deliverables to ENISA. The development of the deliverables requires Background knowledge, defined as IPR and knowledge owned by the contractor upfront the project. Can ENISA confirm that the IPR in Background knowledge is excluded from assignment of ownership to ENISA?

A8:	Yes we confirm. This stipulation of the contract means that ENISA retains intellectual property rights related to the deliverables only.
Q9:	<p>The article I.9 of the draft Service Contract states that the contractor shall assign ownership of any Intellectual property rights (IPR) related to the deliverables to ENISA. The development of the deliverables requires Background knowledge, defined as IPR and knowledge owned by the contractor upfront the project.</p> <p>Can ENISA confirm that a nonexclusive license on the relevant Background knowledge granted to ENISA is sufficient to meet the tender conditions?</p>
A9:	We confirm it is sufficient.