



OPEN CALL FOR TENDERS

Tender Specifications

“Analysing the European testing capabilities of ICS-SCADA Systems”

ENISA P/26/12/TCD

- Part 1 Introduction to ENISA**
- Part 2 Technical Description**
- Part 3 Administrative Details**

- Annex I Legal Entity Form
- Annex II Financial Identification Form
- Annex III Declaration of Honour for exclusion criteria & absence of conflict of interest
- Annex IV Financial Offer form
- Annex V Draft Service contract
- Annex VI Declaration by Authorised Representative
- Annex VII Consortium Form
- Annex VIII Sub-Contractors Form
- Annex IX Document Checklist

CONTENTS

PART 1 INTRODUCTION TO ENISA	4
1. CONTEXT	4
1.1 Introduction	4
1.2 Scope	4
1.3 Objectives	4
2. ADDITIONAL INFORMATION	4
PART 2 TECHNICAL DESCRIPTION	5
A. SCOPE OF THIS TENDER	5
1. GENERAL DESCRIPTION OF THE REQUIRED SERVICES	6
2. OBJECTIVES AND TASKS	6
2.1 TASK 1: Stock taking of existing ICS-SCADA testing practices and frameworks	7
2.2 TASK 2: Good Practices and recommendations for a harmonised ICS-SCADA national testing framework.....	9
2.3 Task (on-going) Project management	11
3. EXPECTED SKILLS	12
4. DURATION	13
5. LIST OF DELIVERABLES	14
6. PLACE OF EXECUTION OF THE ACTIVITIES AND COMMUNICATIONS	14
7. TENDER RESULT AND ESTIMATED CONTRACT VALUE	15
8. CONTENT AND PRESENTATION OF THE TECHNICAL OFFER	15
9. CONTENT AND PRESENTATION OF THE PRICE OFFER	16
10. PRICE	16
11. PRICE REVISION	16
12. COSTS INVOLVED IN PREPARING AND SUBMITTING A TENDER	17
13. PERIOD OF VALIDITY OF THE TENDER	17
14. PROTOCOL ON PRIVILEGES AND IMMUNITIES OF THE EUROPEAN COMMUNITIES	17
15. PAYMENT ARRANGEMENTS	17
16. CONTRACTUAL DETAILS	17
PART 3 ADMINISTRATIVE DETAILS	18
1. FORMAL REQUIREMENTS	18
1.1 Address and deadline for submission of the Tender:.....	18
1.2 Presentation of the Offer and Packaging.....	19
1.3 Identification of the Tenderer.....	19
1.4 Participation of consortia	21
1.5 Subcontracting	21
1.4 Signatures of the Tender	22
1.5 Total fixed price.....	22
1.6 Language.....	22
1.7 Opening of the Tenders	22
2. GROUNDS FOR EXCLUSION OF TENDERERS	22
2.1 Reasons for Exclusion	22
2.2 Other reasons for not awarding the Contract.....	23
2.3 Confidentiality and Public Access to Documents.....	23
3. SELECTION CRITERIA	24
3.1 Professional Information	24
3.2 Financial and Economic Capacity	24
3.3 Technical and professional capacity.....	24
4. AWARD CRITERIA	25
4.1 Quality of the Offer	25
4.2 Price of the Offer.....	26
5. AWARD OF THE CONTRACT	26
6. PAYMENT AND STANDARD CONTRACT	27

7. VALIDITY.....	27
8. LOTS	27
9. ADDITIONAL PROVISIONS.....	27
10. NO OBLIGATION TO AWARD THE CONTRACT	27
11. DRAFT CONTRACT	27
12. SPECIFIC INFORMATION.....	28
12.1 Timetable	28
ANNEX I.....	29
ANNEX II.....	30
ANNEX III.....	31
ANNEX IV	33
ANNEX V	34
ANNEX VI	35
ANNEX VII	36
ANNEX VIII	37
ANNEX IX Document CHECKLIST	38

PART 1 INTRODUCTION TO ENISA

1. CONTEXT

1.1 Introduction

ENISA, the European Network and Information Security Agency, is an Agency of the European Union (EU). It was set up to strengthen the capacity of the European Union, its Member States and the business community to prevent, address and respond to network and information security threats.

Computers and other information technology devices, such as smart phones, are now central to how Europe's citizens live their lives. Therefore, protecting digital information and networks is crucial, for society and the European economy.

In order to achieve this goal, ENISA acts as a centre of expertise in network and information security and facilitates cooperation between the public and private sectors. The Agency's mission is to support a high and effective level of Network and Information Security within the EU. Together with the EU-institutions and the Member States, ENISA seeks to develop a culture of Network and Information Security for the benefit of citizens, consumers, business and public sector organizations in the European Union.

1.2 Scope

The Agency assists the Commission and the EU Member States, and cooperates with the business community in order to help them to meet the requirements of network and information security. This work supports the smooth functioning of the EU's internal market.

1.3 Objectives

The Agency's objectives are as follows:

- Advising and assisting the European Commission and the Member States on information security and in their dialogue with industry to address security in hardware and software products.
- Collecting and analysing data on security incidents in Europe and emerging risks.
- Promoting risk assessment and risk management methods to enhance the Agency's capability to deal with information security threats.
- Awareness-raising and co-operation between different actors in the information security field, notably developing public and private sector partnerships with industry.

2. ADDITIONAL INFORMATION

Further information about ENISA can be obtained on its website: www.enisa.europa.eu

PART 2 TECHNICAL DESCRIPTION

A. SCOPE OF THIS TENDER

Within the framework of this Open tender procedure, ENISA would like to find A suitably qualified contractor to provide the services as stipulated in the technical specifications outlined below..

Subject of the tender	Maximum budget
Analysing the European testing capabilities of ICS-SCADA Systems	€ 50,000.00

1. GENERAL DESCRIPTION OF THE REQUIRED SERVICES

Industrial Control Systems (ICS) are command and control systems designed to support industrial processes. These systems are responsible for monitoring and controlling a variety of processes and operations such as gas and electricity distribution, water treatment, oil refining or railway transportation. The largest subgroup of ICS is SCADA (Supervisory Control and Data Acquisition) systems.

In the last few years, ICS have passed through a significant transformation from proprietary, isolated systems to open architectures and standard technologies highly interconnected with other corporate networks and the Internet. Today, ICS products are mostly based on standard embedded systems platforms, applied in various devices, such as routers or cable modems, and they often use commercial off-the-shelf software. All this has led to cost reductions, ease of use and enabled the remote control and monitoring from various locations. However, an important drawback derived from the connection to intranets and open communication networks, is the increased vulnerability to computer network-based attacks.

For this reason, testing ICS-SCADA components and systems against specific security requirements has gained a lot of popularity as a means to enhance the security that these complex systems offer to their users. Apart from this, governments have already increased their interest in developing a framework around testing of ICS-SCADA systems. The lack of a common test bed across Europe was one of the key findings of ENISA's 2011 report on Protecting Industrial Control Systems. In this document, ENISA recommends that:

"The Common ICS-Strategy should lead to the creation of a common test bed(s) at European level....."

Finally, in its Work Programme for 2013 (WP2013), ENISA included the activity related to testing the security of ICS-SCADA systems which in detail is laid out in Work Package (WPK) 2.4.

The work of the prospective contractor should result in one final deliverable; a good practice on national ICS-SCADA testing capabilities.

It is crucial for ENISA that opinions, positions and ideas of external stakeholders (i.e. experts from well-known working groups like EuroSCSIE and ERNCIP, experts with experience in testing ICS-SCADA systems) are included in the analysis. It is expected from the tenderer to include in the offer fitted expert groups of stakeholders, and a tailored methodology how they should be involved (e.g., participation in an online workshop, video-conferences, interviews, etc.) (see also article 8 "Content and presentation of the technical offer").

The intended target audience is primarily ENISA, European Commission and the MSs that are interested in developing SCADA testing capabilities. Moreover, it concerns end users and utilities that are interesting in testing the components of their infrastructures.

2. OBJECTIVES AND TASKS

The objectives of the work of the prospective contractor are to:

- Assess the need among the Member States for a national ICS-SCADA testing framework.

- Identify the gaps between different (if any) among MSs and the challenges involved in developing ICS-SCADA testing capabilities.
- Produce guidance for both the development of new and harmonization of current ICS-SCADA test beds frameworks (if any) among Member States.
- Research and develop good practice on developing a European ICS-SCADA test bed program/framework.

ENISA expects from the tenderer to include in its offer a project plan and a description with reasoning of methods proposed to achieve these expected results.

Without anticipating these, it is expected to include in the offer at least how the tasks described below will be fulfilled or offer an alternative approach how to achieve the same or better result.

Approach to fulfil the objectives, tasks, extent, proposed stakeholder groups to be involved etc. must be specified in the offer.

The work is organised in three tasks namely:

1. Stock taking of existing testing practices and test bed frameworks.
2. Analysis of the findings and good practice guide on testing ICS-SCADA components/systems and on developing an ICS-SCADA test bed framework.
3. Project management.

Details of each task are given below.

2.1 TASK 1: Stock taking of existing ICS-SCADA testing practices and frameworks

This task is organised in two parts, namely:

1. **PART 1:** Identifying, analysing and comparing, through global desktop research, security standards (if any), good practised and frameworks that could be used to test ICS-SCADA systems. (taking also on-going initiatives related to ICS-SCADA testing at EU level into account)¹
2. **PART 2:** Surveying stakeholders on their practices and experiences in testing ICS-SCADA components and systems and the relevant frameworks, good practices and standards. This is needed as important input to create a framework to be used by National competent Authorities to assess the challenges in implementing a national test bed framework.

Concerning **PART 1**, the contractor is expected to identify and analyse the following categories of studies, reports, standards, good practices and frameworks:

1. Good practices and existing frameworks in use in EU Member States, EFTA and OECD countries.

¹ CEN/CENELEC/ETSI Smart Grid Co-ordination Group and the Expert Group on Security and Resilience of Communications Networks and Information Systems for Smart Grids
P/26/12/TCD Analysing the European testing capabilities of ICS-SCADA Systems

2. International standards (if any) and good practices with emphasis on ICS-SCADA testing.
3. Good practices implemented by the ICS-SCADA value chain (e.g. operators, manufacturers, providers, etc.).
4. Analyse outcomes from European initiatives (e.g. the Viking project).
5. The tenderer should take into account the findings and recommendations from the previous ENISA report on “Protecting Industrial Control Systems: Recommendations for Europe and Member States”.

This could be achieved through desktop research, web searching, informal discussions with experts, internal knowledge/expertise, and/or other possible means.

The contractor should demonstrate knowledge of current initiatives in the area of ICS-SCADA testing, for example the work from the ERNCIP project.

Concerning **PART 2**, the contractor should identify relevant stakeholders and experts with significant experience and expertise in the above stated fields and engage them in refining the findings of part 1 of this task.

Typical categories of stakeholders that should be part of the thematic group of experts include:

1. ICS-SCADA security test labs.
2. ICS-SCADA manufacturers and vendors.
3. Academia, R&D.
4. Regulators and policy makers.
5. Public bodies in the Member States involved in ICS-SCADA testing and evaluation.

ENISA will also mobilise its network of contacts and institutional bodies (i.e. PSG, MB and NLOs) to identify relevant experts that could possibly help the contractor to enrich his/her list of identified experts/stakeholders.

The contractor is requested to propose the strategy on receiving the knowledge and expertise from these experts, necessary for achieving the objectives of the project. It can be a combination of virtual thematic working groups and a small survey or either of these.

In case virtual thematic working groups are formed the contractor, together with ENISA will engage the stakeholders in dialogue, sharing of information, identification of good practices and measures for different categories of stakeholders. The contractor is requested to provide an estimation of the number of conference calls it needs in order to obtain the knowledge. After each teleconference the contractor is expected to provide a summary of the teleconference and carry out qualitative analysis of the findings in the form of a chapter for the final report.

In case a survey is conducted, a questionnaire should be used which will be developed by the contractor with the help from ENISA. After the validation by ENISA, the contractor will disseminate the questionnaire to the abovementioned stakeholders and follow up the process regularly so the return is maximised. After the collection of the replies, the contractor is expected to carry out one-to-one interviews with selected stakeholders to further elaborate on the input received. The interviews will be done remotely, i.e. via telephone conferences.

ENISA will participate in the interviews to ensure the openness, transparency and quality of the process. The contractor is expected to summarise each interview in a written statement and seek validation by each group.

If during the analysis phase, it becomes evident that additional information is needed from specific stakeholders, it is expected that the contractor will either perform additional desktop research or contact the relevant stakeholder(s) to seek the required input.

Taking into account that relevant experts and other stakeholders are contacted and their needs are taken into account it will be extremely beneficial to involve them into the review process of the deliverables. Therefore prospective contractor should:

- Involve relevant stakeholders into the review and commenting processes of the deliverable;
- Mention the prospective stakeholders, and contributors in the offer, and describe how will be the communication and the contribution scheme organized.

At the end of this task the contractor should have identify the lessons learned, key challenges and the gaps remaining to be filled in.

Presentation of the results

- Prospective contractor should deliver the status report on key lessons identified, good practices, challenges and gaps against a harmonised ICS-SCADA security testing environment in the form of a report. Its structure needs to be outlined in the offer (see article "Content and presentation of the technical offer").
- The report should contain the description of the work carried out in order to produce the report.
- Prospective contractor should prepare the PowerPoint presentation which could be used to present the results of the project for a targeted group of stakeholders (e.g. on a technical, management or policy level)
- Prospective contractor should prepare the dissemination plan, which would contain tailored proposals on how to disseminate the results of this project to the intended target audience.
- English proofreading of the report is considered part of the material delivery process

2.2 TASK 2: Good Practices and recommendations for a harmonised ICS-SCADA national testing framework

The contractor, after finalizing the stock taking, will analyse and produce a report on good practices and recommendations for a harmonised ICS-SCADA national framework. The report should provide the reader with good practices and examples of at least the following issues:

- Different testing types which are allowed
- Requirements for accredited test labs
- Who should apply the framework and different alternative models for this
- Legal issues of testing a SCADA system
- Communicating vulnerabilities (vulnerability disclosure framework)
- SLAs (setting the requirements from a test bed)
- ICS-SCADA Security incident database requirements

The study should also provide the reader with examples and good practices for key technical aspects i.e. different testing techniques and standards, relationships between them and gaps, the role of virtualization in testing, the challenge of monitoring and testing encrypted data, dynamic testing, cost benefit analysis/SWOT analysis, tools that can be used to discover vulnerabilities, key elements of an ICS-SCADA testing methodology, good practice on developing a test-bed for ICS and SCADA systems, evaluation methods, and different funding models for ICS-SCADA testing facilities.

The qualitative analysis should be carried out using a widely accepted methodology that should be adequately explained as part of the application to tender in terms of benefits for this specific project. It is expected that the contractor will suggest a concrete methodology and also provide sufficient evidence of expertise and knowledge of it.

The contractor is expected to specify the necessary quality assurance methods and measures taken to ensure that stakeholders' input and contribution is taken properly under consideration and that the good practices adhere to their recommendations.

The results will be presented for validation in **a thematic workshop** organised by ENISA. The validation of the results will be based on the feedback taken by the experts who participated in the workshop. During the workshop, the contractor is expected to present the results of the study in form of Power Point presentation.

After this, the contractor should update the report with the comments, suggestions and recommendations of experts before issuing a final version of the report and the accompanied recommendations.

The contractor is expected to participate in the workshop and draft the minutes of it. ENISA will organise the workshop and cover all the expenses of it. (Excluding the travel expenses) ENISA will invite experts from different stakeholder categories to assess the quality of the findings and debate the proposed good practices and recommendations. The contractor is expected to deliver a clear and comprehensible **semi-final report** on the findings and recommendations and distribute it to the participants of the workshop.

The report should clearly specify traceable sources for all information and well-reasoned argumentation for any judgements made. The report should clearly separate conclusions from any technical argumentation supporting them. This way the conclusions are understandable by non-technical readers.

The final report might be published at ENISA's web site for open consultation. This way ENISA ensures that all possible stakeholders can suggest good practices and recommendations and make the report as inclusive and representative as possible. ENISA will finalise the report based on the additional comments received. ENISA retains the right to suspend the publication without justification.

Presentation of results

- Prospective contractor should deliver the good practice guide in the form of a report. Its structure needs to be outlined in the offer (see article "Content and presentation of the technical offer").

- The document should contain the description of the work carried out in order to produce the report.
- Prospective contractor should prepare the PowerPoint presentation which could be used to present the results of the project for a targeted group of stakeholders (e.g. on the technical, management or policy level)
- Prospective contractor should prepare a dissemination plan, which would contain tailored proposals on how to disseminate the results of this project to the intended target audience.
- English proofreading is considered part of the material delivery process

2.3 Task (on-going) Project management

This task is relevant to both tasks described above (Task 1 and 2). The main objective of this task is to define and implement appropriate management mechanisms, sound planning and resource allocation according to proven expertise and prior knowledge of the subject.

As part of this task the contractor should also provide justification for subcontracting if required, interact with ENISA staff and external experts, and provide regular management reporting. This will ensure the punctual delivery of good quality results of this study within the budget allocated.

The Contractor is expected to submit to the Agency, prior to the kick off meeting, detailed Gantt Charts and accompanying documentation with sufficient details. These will be negotiated with ENISA and be confirmed as final.

The Gantt charts and related documentation should include:

- Scheduling of all tasks and activities within objectives and their respective tasks
- Identification of milestones and critical activities
- Assignment of experts and person days to tasks and activities
- Identification of possible risks and suggestions to mitigate them
- Quality assurance and peer review measures to ensure high quality results
- Detailed information on the expertise of the contractors on the tasks and topics of this tender including references to previous, relevant projects,
- Detailed CVs of experts proposed to be involved in all the tasks of the project
- Detailed justification for subcontracting tasks or parts of them. In that case, ENISA requires additional information on the
 - o Tasks undertaken by the sub-contractor
 - o Expertise of the contractor and its experts
 - o Resources allocated to him/her
 - o Co-ordination mechanisms among the prime and the sub-contractors
 - o Risk management method in case of delayed and/or low quality delivery of sub-contractor's outcomes
 - o Official statement of overall responsibility for the whole project and its results by the prime contractor
- Proposal for a peer-review

Based on the Gantt chart, the contractor is expected to deliver the following documents regularly:

- Brief monthly progress report on current activities (as they defined in the Gantt chart) information on the progress achieved, next steps, possible risks affecting project, and risk mitigation measures
- Early warning reports, at any time, if emerging risks threaten key milestones of the project and when the Agency needs to either be informed or take a decision
- Minutes from the two-weekly teleconferences with ENISA staff on the progress of the project and its tasks
- Two-weekly teleconferences with ENISA staff on the progress of the project and its tasks
- Participation in ENISA's thematic group of experts at regular or ad-hoc manner
- Intermediates and final reports on peer-review progress and quality assurance

In addition and on demand, the Contractor should be able to provide ENISA with a draft or snapshot of the results produced so far for the deliverables.

At least the following communication with the Contractor is expected:

- Regular video or teleconferences via Skype, Lync (two-weekly or at more frequent intervals to be agreed upon) on the progress achieved

ENISA expects that the prospective contractor will perform, in the context of this study, the following business trip:

- Kick off meeting: either at the contractor premises, at ENISA office in Athens or at a place jointly decided by ENISA and the contractor
- At least another physical meeting (thematic workshop)

The costs of such business trips should be included in the total offer. ENISA will not additionally reimburse the contractor for taking part in these meetings.

3. EXPECTED SKILLS

The performance of the above mentioned activities requires professionals that have good professional multi-disciplinary knowledge on all or a sub set of the following fields:

- Expertise in the field of network and information security;
- Knowledge and Experience in ICS-SCADA security and especially in testing ICS-SCADA components and systems;
- Good understanding of policy and regulatory issues related to the security of ICS-SCADA, especially on testing, at national and/or pan European level including activities related to Critical Information Infrastructure Protection (CIIP);
- Knowledge of CIIP and cyber security strategy and policy at national and/or pan European level;

- Proven experience in organising stock taking exercises, analysis skills, and creating good practice guides and recommendations on relevant subjects;
- Excellent knowledge of data collection and validation methods including the ability to produce clear and understandable text equipped with graphical elements;
- Experience in performing specific research on a subject topic, leading thematic expert groups and writing reports;
- Experience in dealing with closed technically oriented communities and individuals (incident response teams and experts);
- Excellent project management skills including quality assurance and risk management and experience in realising international projects;
- Excellent oral and written language skills in English; and
- Very good communication skills.

4. DURATION

The duration of this work is foreseen between March 2013 and end of October 2013.

More specifically, the contractor is expected to comply with the following deadlines:

- 1) Kick of meeting – no later than mid-March 2013.
- 2) List of experts contacted and their contact details – end of March, 2013
- 3) In case of a survey is conducted: Questionnaire – delivery date mid of April 2013.
- 4) Result of the desktop research on existing initiatives - delivery day: end of April 2013.
- 5) Meeting with ENISA for evaluation of the findings of task 1 (desktop research) - delivery day: no later than mid of May 2013.
- 6) Report on key lessons identified, good testing practices, challenges and gaps against a harmonised ICS-SCADA security testing environment delivery date: end of June 2013.
- 7) Semi-final deliverable (for the workshop) – “Good Practices and Recommendations for a Harmonised ICS-SCADA National Testing Framework” – Draft – delivery date beginning of October, 2013.
- 8) Power Point presentation of the semi-final deliverable – delivery date beginning of October, 2013.
- 9) Milestone: final Workshop – beginning of October, 2013
- 10) Final report: “Good Practices and Recommendations for a Harmonised ICS-SCADA National Testing Framework” - delivery date: mid of October 2013.
- 11) Professional Power Point presentation on the final deliverables - delivery date: mid of October 2013.
- 12) Integration of the comments from the internal ENISA Q&A process – delivery date: end of October 2013.

The Tenderer is required to make a proposal in their tender for the time schedule of the activities in order to carry out the project and identify concrete milestones. The presentation of the time schedule should be on a Gantt chart. In its offer the Tenderer should indicate the estimated amount of person days required to accomplish all tasks associated with this procurement.

5. LIST OF DELIVERABLES

The final deliverables should use the standard ENISA document template, which will be provided to successful contractor.

The following deliverables are required (if part of the final approved project plan) from the prospective contractor:

- Monthly progress report on predefined milestones;
- D1 Provide necessary resources (e.g., means of communication, meetings, surveying tools etc.) for successful identification of stakeholder needs, work of the expert group during the project according to the approach described in the offer (see article “Content and presentation of the technical offer”)
- D2 1st draft of the Status Report on ‘Key lessons identified, good practices, challenges and gaps against a harmonised ICS-SCADA security testing environment’ (see Task 1).
- D3 Semi-final report on Good Practices and Recommendations for a Harmonised ICS-SCADA National Testing Framework (see Task 2).
- D4 Final Status Report on ‘Key lessons identified, good practices, challenges and gaps against a harmonised ICS-SCADA security testing environment’ (see Task 1).
- D5 Final Good Practice report with recommendations for a Harmonised ICS-SCADA National Testing Framework (see Task 2).
- D6 Short Report presenting the communication with the stakeholders, who participated in the review, commenting and contribution processes of the deliverables.
- D7 PowerPoint presentations with the project results
- The contractor will provide ENISA with raw data from the questionnaire/interviews during the project implementation upon request and at the end of the project.

English is the language to be used for all the documents (interim and final reports, project management reports etc.) produced. Quality assurance and proof reading of the final report must be included as part of the offer.

6. PLACE OF EXECUTION OF THE ACTIVITIES AND COMMUNICATIONS

The execution of the activities will take place at the Contractor’s premises. The contractor is required to be present at ENISA premises for all necessary meetings and for collecting all relevant information to conduct the analysis. For this purpose network based collaborative tools (i.e. videoconferencing) could also be used.

At least the following communication with the contractor is expected.

- One kick off meeting (physical or online). In case of a physical meeting, in a jointly agreed location in Europe; most likely at our office in Athens (one day)
- Regular teleconferences on the progress achieved (intervals to be agreed upon)
- A virtual project sign off meeting will be organised by ENISA

- Participation in the Conference, in a central location in Europe, e.g., Brussels, Paris, Rome, London or Athens (1-2 days, c.f. Task 2)

It should be mentioned that the costs of possible business trips, expert group meetings and communication should be included in the total offer. ENISA will not additionally reimburse the contractor the related costs.

Note: the logistical costs of these meetings and sessions will be covered by ENISA and **should not** be considered as part of this tender; the only costs to be included in your offer are the contractor's travelling and subsistence expenses.

Quality assurance, review and final approval of deliverable, and project sign-off will take place at a location to be agreed on later. Informal and regular contacts should be maintained by telephone and e-mail.

7. TENDER RESULT AND ESTIMATED CONTRACT VALUE

The result of the evaluation of tenders will be the awarding of a Service Contract. The total estimated budget cannot exceed **50,000.00 Euros (fifty thousand Euros)**² covering all tasks executed and including all costs (e.g. travelling expenses of the contractor to and from ENISA's premises, use of conferencing equipment, telephone calls, provision of expert group communications and meetings).

8. CONTENT AND PRESENTATION OF THE TECHNICAL OFFER

The Tenderer shall enclose with the **Technical Offer** all documents and information that will enable its offers to be assessed in terms of quality and of compliance with the Specifications. An Offer shall include a description of the operational means and procedures to be implemented to perform the Contract, supported where appropriate by related documents.

An offer must address each of the following elements as A MINIMUM in order to be considered to be a valid and conforming offer:

- Description of the skills of the prospective contactor
 - The Tenderer will have to present its compliance with the expected skills as described in the relevant section.
- Description of the deliverables
 - The deliverables must be presented as requested in the article entitled "Deliverables"
 - The approach and method to perform the tasks and ensure the quality of the deliverables.
 - Examples of previous related works, specifically on: monitoring exercises, evaluation of exercises, training material, exercise assessment frameworks, exercise debriefings and major related reports.

² Please note that following implementation of the contract with the successful contractor and depending on the further needs of the contracting authority specifically in the field of endeavour the subject of this contract, the maximum amount contracted may be increased by up to 50% - subject to budget availability.

- A full list of all related projects and activities that the contractor has overtaken in the past.
- The prospective contractor is expected to provide insights in the methodology (approach) chosen in order to reach the objectives of the project described above in article “Objectives and tasks”. In particular:
 - Details need to be provided how the experts and stakeholder opinions and needs would be collected (what stakeholder groups involved, means by which the input will be gathered) both for both reports.
 - If the expert group will be part of the approach chosen, details need to be provided on what stakeholder groups would be involved, how the work of the expert group would be organised (e.g., physical meetings, e-mail mailing lists, video conferences etc.), in what stages of the project the expert group would be involved
- Management of provision of services
 - Project Management: a close description of the project management method used including quality assurance is required. Breakdown of tasks; milestones definition; assignment of experts to tasks and person days to tasks should be presented in a Gantt chart, included in the offer
 - At the kick off meeting, the project plans will be confirmed as final
 - The prospective contractor must also identify possible risks to the project and propose mitigation measures
 - interact with ENISA staff and external experts, and provide regular management reporting. This will ensure the punctual delivery of good quality results of this project and on budget
- In addition the tenderer is expected to highlight / explain
 - Availability and ability of the tenderer to respond: prompt availability of resources is required within the specified delivery timeframes. Additionally, any ancillary or support resources, such as a network of associates to support the scope of this Call for Tenders must be clearly stated
- Short CV's of the experts that will be allocated to the project focussing on their experience and expertise in the areas covered by the study.
- If applicable, the contractor should also provide justification for subcontracting,

9. CONTENT AND PRESENTATION OF THE PRICE OFFER

The Price offer must be drawn up using the Financial Offer template provided (see Annex IV).

10. PRICE

Prices submitted in response to this Tender must be inclusive of all costs involved in the performance of the contract. Prices shall be submitted only in Euro and VAT excluded.

11. PRICE REVISION

Prices submitted in response to this Tender shall be fixed and not subject to revision.

12. COSTS INVOLVED IN PREPARING AND SUBMITTING A TENDER

ENISA will not reimburse any costs incurred in the preparation and submission of a Tender. Any such costs must be paid by the Tenderer.

13. PERIOD OF VALIDITY OF THE TENDER

Tenderers must enclose a confirmation that the prices given are valid for (90) ninety days from the date of submission of the tender.

14. PROTOCOL ON PRIVILEGES AND IMMUNITIES OF THE EUROPEAN COMMUNITIES

ENISA is exempt from all taxes and duties, including value added tax (VAT), pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities. Tenderers must therefore give prices which are exclusive of any taxes and duties and must indicate the amount of VAT separately.

15. PAYMENT ARRANGEMENTS

Payments under the Contract shall be carried out subject to prior approval of the Services by ENISA within 30 days after an invoice is submitted to ENISA. One single payment will be made after receipt and approval of the deliverables by ENISA. An invoice must specify the specific deliverables covered. A note that accompanies the final deliverables must present the resources used for each of the deliverables presented. Time sheets should be submitted as appropriate.

16. CONTRACTUAL DETAILS

A model of the Service Contract is proposed to the successful candidate - see Annex V.

Please note that the general conditions of our standard service contract cannot be modified. Submission of a tender by a potential contractor implies acceptance of this contract and all of the terms and conditions contained therein. It is strongly recommended that you have this draft contract checked and passed by your legal section before committing to submitting an offer.

PART 3 ADMINISTRATIVE DETAILS

1. FORMAL REQUIREMENTS

1.1 Address and deadline for submission of the Tender:

You are invited to tender for this project and requested to submit your tender no later than **25th January 2013** either by:

a) **Registered post or express courier**. The postal service's dated stamp or the courier company's printed delivery slip and stamp will constitute proof of compliance with the deadline given above:

or

b) **Hand-delivery** (direct or through any authorised representative of the Tenderer) by 17.00 hours on **25th January 2013** at the latest to the address shown below (please, be informed that only delivery during working hours 09:00-17:00 hrs. is accepted). In the case of hand-delivery, in order to establish proof of the date of deposit, the depositor will receive from an official at the below-mentioned address, a receipt which will be signed by both parties, dated and time stamped.

Please note that in this case it is the date and time actually received at the ENISA premises that will count.

Please Note: Due to frequent delays encountered with the postal services in Europe, we would ***strongly suggest that you use a courier service***. It is important to avoid delays to the programmed Opening and Evaluation dates as this will in turn delay the contract award, thereby affecting project completion dates.

The offer must be sent to one of the following addresses:

Postal Address		Express Courier & Hand Delivery
European Network and Information Security Agency (ENISA) For the attention of: The Procurement Officer PO Box 1309 71001 Heraklion Greece	or	European Network and Information Security Agency (ENISA) For the attention of The Procurement Officer Science and Technology Park of Crete (ITE) Vassilika Vouton 700 13 Heraklion Greece

Please note that late despatch will lead to exclusion from the award procedure for this Contract.

1.2 Presentation of the Offer and Packaging

The offer (consisting of one original and two copies) should be enclosed in two envelopes, both of which should be sealed. If self-adhesive envelopes are used, they should be further sealed with adhesive tape, upon which the Tenderer's signature must appear.

The **outer envelope**, in addition to the above-mentioned ENISA address, should be addressed as follows:

OPEN CALL FOR TENDER NO. ENISA P/26/12/TCD
“ Analysing the European testing capabilities of ICS-SCADA Systems ”
NOT TO BE OPENED BY THE MESSENGER/COURIER SERVICE
NOT TO BE OPENED BY THE OPENING COMMITTEE BEFORE 6th FEB 2013
TENDERED BY THE FIRM: <PLEASE INSERT NAME OF THE TENDERER/COMPANY>

The **inner envelope** should be addressed as follows:

OPEN CALL FOR TENDER NO. ENISA P/26/12/TCD
“ Analysing the European testing capabilities of ICS-SCADA Systems ”
NOT TO BE OPENED BY THE OPENING COMMITTEE BEFORE 6th FEB 2013
TENDERED BY THE FIRM: <PLEASE INSERT NAME OF THE TENDERER/COMPANY>

1.3 Identification of the Tenderer

Tenderers are required to complete the **Legal Entity Form (Annex I)** which must be signed by a representative of the Tenderer authorised to sign contracts with third parties. There is one form for 'individuals', one for 'private entities' and one for 'public entities'. A standard form is provided for each category - please choose whichever is applicable. In addition to the above, a **Financial Identification Form** must be filled in and signed by an authorised representative of the Tenderer and his/her bank (or a copy of the bank account statement instead of bank's signature). A specimen form is provided in **Annex II**. Finally a **Declaration by Authorised Representative (Annex VI)** must also be completed for internal administrative purposes.

The **Legal Entity Form** must be supported by the following documents relating to each Tenderer in order to show its name, address and official registration number:

a) For private entities:

- A legible copy of the instrument of incorporation or constitution, and a copy of the statutes, if they are contained in a separate instrument, or a copy of the notices of such constitution or incorporation published in the national or other official journal, if the legislation which applies to the Tenderer requires such publication.
- If the instruments mentioned in the above paragraph have been amended, a legible copy of the most recent amendment to the instruments mentioned in the previous indent, including that involving any transfer of the registered office of the legal entity, or a copy of the notice published in the relevant national or other official journal of such amendment, if the legislation which applies to the Tenderer requires such publication.
- If the instruments mentioned in the first paragraph have not been amended since incorporation and the Tenderer's registered office has not been transferred since then, a written confirmation, signed by an authorised representative of the Tenderer, that there has been no such amendment or transfer.
- A legible copy of the notice of appointment of the persons authorised to represent the Tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication.
- If the above documents do not show the registration number, a proof of registration, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number.
- If the above documents do not show the VAT number, a copy of the VAT registration document, where applicable.

b) For Individuals:

- A legible copy of their identity card or passport.
- Where applicable, a proof of registration, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number.
- If the above documents do not show the VAT number, a copy of the VAT registration document, where applicable.

c) For Public Entities:

- A copy of the resolution decree, law, or decision establishing the entity in question or failing that, any other official document attesting to the establishment of the entity.

All tenderers must provide their Legal Entity Form (Annex I) as well as the evidence mentioned above.

In case of a joint bid, only the co-ordinator must return the Financial Identification form (Annex II).

The Tenderer must be clearly identified, and where the Tender is submitted by an organisation or a company, the following administrative information and documents must be provided:

Full name of organisation/company, copy of legal status, registration number, address, person to contact, person authorised to sign on behalf of the organisation (copy of the official mandate must be produced), telephone number, facsimile number, VAT number, banking details: bank name, account name and number, branch address, sort code, IBAN and SWIFT address of bank: a bank identification form must be filled in and signed by an authorised representative of each Tenderer and his banker.

Tenders must be submitted individually. If two or more applicants submit a joint bid, one must be designated as the lead Contractor and agent responsible.

1.4 Participation of consortia

Consortia, may submit a tender on condition that it complies with the rules of competition. The 'Consortium Form' (Annex VII) must be completed and submitted with your offer.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. Such a grouping (or consortia) must specify the company or person heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit a tender. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the Contracting Authority.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (*Articles 2 and 3 below*). Concerning the selection criteria "technical and professional capacity", the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

The participation of an ineligible person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

1.5 Subcontracting

In well justified cases and subject to approval by ENISA, a contractor may subcontract parts of the services. The 'Sub-contractors Form' (Annex VIII) must be completed and submitted with your offer.

Contractors must state in their offers what parts of the work, if any, they intend to subcontract, and to what extent (% of the total contract value), specifying the names, addresses and legal status of the subcontractors.

The sub-contractor must not sub-contract further.

Sub-contractors must satisfy the eligibility criteria applicable to the award of the contract. If the identity of the intended sub-contractor(s) is already known at the time of submitting the tender, all sub-contractors must provide the required evidence for the exclusion and selection criteria.

If the identity of the sub-contractor is not known at the time of submitting the tender, the tenderer who is awarded the contract will have to seek ENISA's prior written authorisation before entering into a sub-contract.

Where no sub-contractor is given, the work will be assumed to be carried out directly by the bidder.

1.4 Signatures of the Tender

Both the technical and the financial offer must be signed by the Tenderer's authorised representative or representatives (preferably in blue ink).

1.5 Total fixed price

A total fixed price expressed in Euro must be included in the Tender. The contract prices shall be firm and not subject to revision.

1.6 Language

Offers shall be submitted in one of the official languages of the European Union (preferably in English).

1.7 Opening of the Tenders

The public opening of received tenders will take place on **6th February 2013 at 11:00am** at ENISA Building, Science and Technology Park of Crete, GR - 70013 Heraklion, Greece.

A maximum of one legal representative per participating tenderer may attend the opening session. Tenderers shall inform the Agency in writing of their intention to attend, at least 48 hours prior to the opening session.

2. GROUNDS FOR EXCLUSION OF TENDERERS

2.1 Reasons for Exclusion

Pursuant to Article 29 of Council Directive 92/50/EC relating to Public Service Contracts and to Article 93 of the Financial Regulation, ENISA will exclude Tenderers from participation in the procurement procedure if:

- They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or
- Are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- They have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;

- They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- They have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- Following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Tenderers must certify that they are not in one of the situations listed in sub-article 2.1 (see Annex III: Exclusion criteria and non-conflict of interest form). If the tender is proposed by a consortium this form must be submitted by each partner.

2.2 Other reasons for not awarding the Contract

Contracts may not be awarded to Candidates or Tenderers who, during the procurement procedure:

- a. Are subject to a conflict of interest;
- b. Are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information;
- c. Any attempt by a Tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the evaluation committee or ENISA during the process of examining, clarifying, evaluating and comparing tenders will lead to the rejection of his offer and may result in administrative penalties.

See last paragraph point 2.1.

2.3 Confidentiality and Public Access to Documents

In the general implementation of its activities and for the processing of tendering procedures in particular, ENISA observes the following EU regulations:

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data;
- Regulation (EC) No. 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data;

- Regulation (EC) No. 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

3. SELECTION CRITERIA

The following criteria will be used to select the Tenderers. If the Tender is proposed by a consortium these criteria must be fulfilled by each partner.

Documentary evidence of the Tenderers' claims in respect of the below-mentioned criteria is required.

3.1 Professional Information

The Tenderer must provide evidence of enrolment (declaration or certificates) in one of the professional or trade registers, in country of establishment.

3.2 Financial and Economic Capacity

Proof of financial and economic standing may be furnished by one or more of the following references:

- a) Annual accounts, balance sheet or extracts from balance sheets for at least the last 2 years for which accounts have been closed, shall be presented where publication of the balance sheet is required under company law of the country in which the economic operator is established;

It is necessary that the extracts from balance sheets be dated, signed and stamped by the authorised representatives of the tenderer.

- b) Statement of the undertaking's overall turnover and its turnover in respect of the services to which the contract relates for the previous two financial years.
- c) If tenderers will call on the competences of another entity (for example, a parent company), a written undertaking by the said entity certifying that it will make available to the tenderers the resources required to implement the contract.

If, for any valid reason, the service provider is unable to provide the references requested by the contracting authority, he may prove his economic and financial standing by any other document which the contracting authority considers appropriate, following a request for clarification before the tender expiry date.

3.3 Technical and professional capacity

Evidence of the technical and professional capacity of the tenderers shall be furnished on the basis of the following documents:

- A curriculum vita of the Tenderer, as well as of all members of the Tenderer's team, has to be included, in which the Tenderer has to make statements about (in line with Part 2 – Art 3 - Expected Skills):

- His technical knowledge and experience in the relevant technical areas (including references to projects similar to the one proposed by this tender);
- His management capability (including, but not limited to, project management in a European context and quality assurance).

4. AWARD CRITERIA

4.1 Quality of the Offer

Once the Tenderer has demonstrated the appropriate capacity to perform the Contract on the grounds of the selection criteria, the offer will be assessed on the basis of the award criteria.

No	Qualitative award criteria		Weighting (max. points)
1.	Technical compliance	Compliance with the technical descriptions (Part 2 of this document)	25
2.	Quality and accuracy of content and structure	Quality of the proposal and accuracy of the description to provide the requested services	30
3.	Project Team	Composition of project team (ratio senior/juniors), relevant experience of the team, work flows and review cycles of the output, direct involvement of senior staff, and distribution of tasks amongst experts; quality reviews of deliverables.	25
4.	Methodology	Selected methodology and project management	20
Total Qualitative Points (QP)			100

Minimum attainment per criterion

Offers scoring less than 50% for any criterion will be deemed to be of insufficient quality and eliminated from further consideration.

Minimum attainment overall

Offers scoring less than 60% after the evaluation process will be considered to be of insufficient quality and eliminated from the following phase.

The sum of all criteria gives a total of 100 points. The respective weighting between the different awards criteria depends on the nature of the services required and is consequently closely related to the terms of reference. The award criteria are thus quantified parameters

that the offer should comply with. The **qualitative award criteria** points will be weighted at **70%** in relation to the price.

4.2 Price of the Offer

Tenders must state a total fixed price in Euro. Prices quoted should be exclusive of all charges, taxes, dues including value added tax in accordance with Article 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities. Such charges may not therefore be included in the calculation of the price quoted.

ENISA, in conformity with the Protocol on the Privileges and Immunities of the European Community annexed to the Treaty of April 8th, 1965, is exempt from all VAT.

Offers exceeding the maximum price set in Part 2; Article 7 will be excluded. The cheapest offer will receive the maximum points and the rest of the candidate's offers will be awarded points in relation to the best offer as follows

$$PP = (PC / PB) \times 100$$

Where;

- PP** = Weighted price points
- PC** = Cheapest bid price received
- PB** = Bid price being evaluated

5. AWARD OF THE CONTRACT

The contract for each Lot will be awarded to the offer which is the most cost effective (offers the best value for money) which obtains the highest number of points after the final evaluation on the basis of the ratio between the **quality criteria (70%)** and the **price (30%)**. The following formula will be used:

$$TWP = (QP \times 0.7) + (PP \times 0.3)$$

Where;

- QP** = Qualitative points
- PP** = Weighted price points
- TWP** = Total weighted points score

In case the successful tenderer is unable to sign the contract for any reasons, the Contracting Authority reserves the right to award the contract to other tenderers as per the ranking order established following the evaluation procedure.

6. PAYMENT AND STANDARD CONTRACT

Payments under the Service Contract shall be made in accordance with article I.5 of the Special Conditions and article II.4.3 of the General Conditions (see Annex V)

In drawing up their bid, the Tenderer should take into account the provisions of the standard contract which include the “General terms and conditions applicable to contracts”

7. VALIDITY

Period of validity of the Tender: 90 days from the closing date given above. The successful Tenderer must maintain its Offer for a further 220 days from the notification of the award.

8. LOTS

This Tender is not divided into Lots.

9. ADDITIONAL PROVISIONS

- Changes to tenders will be accepted only if they are received on or before the final date set for the receipt of tenders.
- Expenses incurred in respect of the preparation and presentation of tenders cannot be refunded.
- No information of any kind will be given on the state of progress with regard to the evaluation of tenders.
- All documents submitted by Tenderers will become property of ENISA and will be regarded as confidential.

10. NO OBLIGATION TO AWARD THE CONTRACT

Initiation of a tendering procedure imposes no obligation on ENISA to award the contract. Should the invitation to tender cover several items or lots, ENISA reserves the right to award a contract for only some of them. ENISA shall not be liable for any compensation with respect to Tenderers who's Tenders have not been accepted. Nor shall it be so liable if it decides not to award the contract.

11. DRAFT CONTRACT

A Service Contract will be proposed to the selected candidate. A draft copy of which is included as Annex V to this tender.

Please note that the general conditions of our standard service contract cannot be modified. Submission of a tender by a potential contractor implies acceptance of this contract and all of the terms and conditions contained therein. It is strongly recommended that you have this draft contract checked and passed by your legal section before committing to submitting an offer.

12. SPECIFIC INFORMATION

12.1 Timetable

The timetable for this tender and the resulting contract(s) is as follows:

Title: **“Analysing the European testing capabilities of ICS-SCADA Systems”**

ENISA P/26/12/TCD

Summary timetable comments

Launch of tender - Contract notice to the Official Journal of the European Union (OJEU)	11 December 2012	
Deadline for request of information from ENISA	19 January 2013	
Last date on which clarifications are issued by ENISA	21 January 2013	
Deadline for submission of offers	25 January 2013	in case of hand-delivery (17:00 local time. This deadline is fixed for the receipt of the tender in ENISA's premises)
Opening of offers	6 February 2013	At 11:00 Greek time
Date for evaluation of offers	6 February 2013	At 11:30 Greek time
Notification of award to the selected candidate	Mid February 2013	Estimated
14 day standstill period commences	Mid February 2013	Estimated
Contract signature	Early March 2013	Estimated
Commencement date of activities	As per tender	Estimated
Completion date of activities	As per tender	Estimated

ANNEX I

Legal Entity Form

The specific form, for either a;

- c) public entity,
- d) private entity or
- e) individual entity,

is available for download in each of the 22 official languages at the following address: http://ec.europa.eu/budget/execution/legal_entities_en.htm

Please download the appropriate form, complete the details requested and include in your tender offer documentation.

ANNEX II

FINANCIAL IDENTIFICATION FORM

- SPECIMEN FOR THE TENDERER -

(to be completed by the Tenderer)

The Tenderer's attention is drawn to the fact that this document is a sample only, and a specific form in each of the 22 official languages is available for download at the following address:

http://ec.europa.eu/budget/execution/ftiers_en.htm

	
FINANCIAL IDENTIFICATION	
PRIVACY STATEMENT http://ec.europa.eu/budget/library/contracts_grants/info_contracts/privacy_statement_en.pdf	
ACCOUNT NAME	
ACCOUNT NAME 	<input type="text"/>
	<input type="text"/>
ADDRESS	<input type="text"/>
	<input type="text"/>
TOWN/CITY	<input type="text"/>
POSTCODE	<input type="text"/>
COUNTRY	<input type="text"/>
 <i>The name or title under which the account has been opened and not the name of the account holder</i>	
CONTACT	<input type="text"/>
TELEPHONE	<input type="text"/>
FAX	<input type="text"/>
E-MAIL	<input type="text"/>
BANK	
BANK NAME	<input type="text"/>
	<input type="text"/>
BRANCH ADDRESS	<input type="text"/>
	<input type="text"/>
TOWN/CITY	<input type="text"/>
POSTCODE	<input type="text"/>
COUNTRY	<input type="text"/>
ACCOUNT NUMBER	<input type="text"/>
IBAN 	<input type="text"/>
 <i>If the IBAN Code (International Bank Account Number) is applied in the country where your bank is situated</i>	
REMARKS:	<input type="text"/>
BANK STAMP • SIGNATURE OF BANK REPRESENTATIVE (Both obligatory) 	DATE • SIGNATURE OF ACCOUNT HOLDER (Obligatory)

ANNEX III

DECLARATION OF HONOUR

WITH RESPECT TO THE

EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTEREST

The undersigned: (Please print name)

in his/her own name (if the economic operator is a natural person)

or

representing (if the economic operator is a legal entity)

Official name of the company/organisation:

.....

Official legal form:

Official address in full:

.....

.....

VAT (Tax) registration number:

.....

Declares that the company or organisation that he/she represents:

- is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- has not been convicted of an offence concerning professional conduct by a judgment which has the force of res judicata;
- has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- has fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

- has not been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- has not been declared to be in serious breach of contract for failure to comply with his contractual obligations subsequent to another procurement procedure or grant award procedure financed by the Community budget.

In addition, the undersigned declares on his honour:

- that on the date of submission of the tender, the company or organisation he represents and the staff proposed for this tender are not subject to a conflict of interests in the context of this invitation to tender; he undertakes to inform the ENISA Agency without delay of any change in this situation which might occur after the date of submission of the tender;
- that the information provided to the ENISA Agency within the context of this invitation to tender is accurate, truthful and complete.

By signing this form, the undersigned acknowledges that they have been acquainted with the administrative and financial penalties described under art 133 and 134 b of the Implementing Rules (Commission Regulation 2342/2002 of 23/12/02), which may be applied if any of the declarations or information provided prove to be false

.....
Full name

.....
Signature

.....
Date

ANNEX IV

FINANCIAL OFFER:

“Analysing the European testing capabilities of ICS-SCADA Systems”

ENISA P/26/12/TCD

Please provide your financial lump sum offer.

LOT Description:	Number of 'Person days' required for completion of project.	Your OFFER
Analysing the European testing capabilities of ICS-SCADA Systems <i>Please provide your lump sum price for the total deliverables.</i>	P/Days	€

Print name: <i>(of the Tenderer or authorised representative)</i>	Signature:	Date:
---	-------------------	--------------

ANNEX V

Model Service Contract template

(See attached file)

ANNEX VI

DECLARATION BY THE AUTHORISED REPRESENTATIVE(S):

NAME OF LEGAL REPRESENTATIVE	
<i>I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.</i>	
First name	
Last name	
Title (e.g. Dr, Mr, Mrs)	
Position (e.g. Manager, Director)	
Telephone number	
Fax number	
e-mail address	
Website	
NAME OF 2 nd LEGAL REPRESENTATIVE <i>(if applicable)</i>	
<i>I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.</i>	
First name	
Last name	
Title (e.g. Dr, Mr, Mrs)	
Position (e.g. Manager, Director)	
Telephone number	
Fax number	
e-mail address	
Website	

SIGNATURE: **DATE:**

ANNEX VII Consortium form

Name of tenderer:

Form of the Consortium: (Please cross the relevant box)

Permanent: Legally established: Specifically for this tender:

	Name(s)	Address
Leader of the Consortium <i>(person authorised to conclude contract)</i>		
Partner 1*		
Partner 2*		

* add additional lines for partners if required. **Note that a subcontractor is not considered to be a partner.**

We confirm, as a partner in the consortium, that all partners are jointly and severally liable by law for the performance of the contract, that the leader is authorised to bind, and receive instructions for and on behalf of, each partner, that the performance of the contract, including payments, is the responsibility of the leader, and that all partners in the consortium are bound to remain in the consortia for the entire period of the contract's performance.

Signature: <i>Leader of consortium</i>	
Date:	
Signature: <i>Partner 1</i>	
Date:	
Signature: <i>Partner 2...etc</i>	
Date:	

ANNEX VIII Sub-contractors form

	Name(s)	Address
Tenderer (person authorised to sign contract)		
Sub-contractor 1*		
Sub-contractor 2*		

* add additional lines for subcontractors if required.

As subcontractors for this tender, we confirm that we are willing to perform the tasks as specified in the tender documentation.

Signature: <i>Tenderer</i>	
Date:	
Signature: <i>Subcontractor 1</i>	
Date:	
Signature: <i>Subcontractor 2</i>	
Date:	

ANNEX IX Document CHECKLIST

WHAT MUST BE INCLUDED IN THE TENDER SUBMISSION:

PLEASE TICK EACH BOX AND RETURN THIS CHECKLIST

TOGETHER WITH YOUR OFFER

- | | | |
|----|---|--------------------------|
| 1 | Technical Offer (for each LOT you bid for) | <input type="checkbox"/> |
| 2 | Professional information (see Part 3 – Article 3.1) | <input type="checkbox"/> |
| 3 | Proof of financial and economic capacity (see Part 3 – Article 3.2) | <input type="checkbox"/> |
| 4 | Proof of technical and professional capacity (see Part 3 – Article 3.3) | <input type="checkbox"/> |
| 5 | Legal Entity Form ³ (Annex I) signed and dated | <input type="checkbox"/> |
| 6 | Financial Identification Form ⁴ (Annex II) signed and dated | <input type="checkbox"/> |
| 7 | Declaration on Honour on exclusion criteria (Annex III) signed and dated | <input type="checkbox"/> |
| 8 | Financial Offer (Annex IV) signed and dated | <input type="checkbox"/> |
| 9 | Declaration by Authorised Representative (Annex VI) signed and dated | <input type="checkbox"/> |
| 10 | Consortium form (Annex VII) signed and dated - if applicable | <input type="checkbox"/> |
| 11 | Sub-Contractors form (Annex VIII) signed and dated - if applicable | <input type="checkbox"/> |

****The tenderers' attention is drawn to the fact that any total or partial omission of documentation requested may lead the Contracting Authority to exclude the tender from the rest of the procedure.***

Print name:

Signature:

Date:

(of the Tenderer or authorised representative)

³ If you have provided a Legal Entity form to ENISA within the previous 12 months maximum and no details have changed in the meantime, then you may provide a photocopy of this previous form.

⁴ If you have provided a Financial Identification form to ENISA within the previous 12 months maximum and no details have changed in the meantime, then you may provide a photocopy of this previous form.