

Heraklion, 11/01/2013
ENISA/ADM/DCO/dco/2013/9

CLARIFICATION TO TENDER: N° 01

"Enabling the information society - Securing personal data in online environments"

ENISA P/18/12/TCD

Questions & Answers

Q1:	Is the presence of representatives from a national data protection authority allowed, either as individual entity or as subcontractor within a University consortium, or might it constitute reason for not awarding the contract?
A1:	<p>ENISA tenders are open to participation by governmental bodies; research institutes, universities etc. as well as commercial (private) entities. A bid may be sent solely by a governmental body or indeed in collaboration with another entity - private or not. The only proviso is that each gov't/private entity must be able to provide proof of its financial and economic capacity as clearly outlined in Part 3, 'Administrative details' of the tender specification documents (more specifically: Article 3 - Selection Criteria).</p> <p>Furthermore, the bidder must be sure that there is not the possibility of a conflict of interest resulting from their participation solely or as part of a consortium (or as a subcontractor) in relation to the actual services requested to be provided by this tender. Please note that in the case of a consortium, whether formalised or ad hoc, the leader of the consortium is the only entity to sign the resulting contract and takes full responsibility for the contractual obligations with ENISA.</p> <p>Taking into consideration all of the above, your entity is welcome to provide a bid.</p>
Q2:	In case representatives from a national data protection authority are allowed, is an authorization from the relevant Office required?
A2:	If individuals from an organisation wish to participate in a tender, then it is up to them to enquire whether their employer allows them to undertake external activities or not. ENISA cannot take a position on this.

Q3:	As Norway is not an EU member can I ask for clarification as to the eligibility of a bid from a Norwegian organisation?
A3:	Norway is part of the European Economic Area (EEA) which means that it is fully eligible to participate in ENISA tender procedures.
Q4:	<p>Point No: (1.2.1.2).</p> <p>Should the contractor survey 50% of the EU population in various (5-7) countries? Is that the term "Population" refers to Public or list of stakeholders (Gov. Agencies/companies/organizations) and certification bodies?</p>
A4:	<p>There are 2 surveys in LOT 1.</p> <p>For the first survey on certification, we are interested in findings from half of the Member States or enough Member States to account for 50% of the EU population. The term 'population' refers to citizens of the EU.</p> <p>For the second survey on technical measures to protect retained data, we are interested in best practices for 5-7 countries.</p>
Q5:	Is it mandatory that this survey should be offline or online? If any please provide us the details.
A5:	<p>We are not interested in quantity here. The challenge is to find the right parties to answer the questions. And as such, afterwards, in these studies the use of online tools would not change much.</p> <p>In case of an online survey we must stress from the beginning the need for personal data protection and confidentiality of communication and responses..</p>
Q6:	Is this proposed bid amount EURO 60,000 inclusive of travel costs, accommodation, manpower and survey?
A6:	Yes, the maximum amount available for each LOT is €60,000.00 which includes all costs as mentioned.