



## INVITATION TO TENDER

**Title:** PETs controls matrix: A systematic approach for assessing online and mobile privacy tools

**Reference:** ENISA D-COD-16-T08

**Procurement procedure:** Open call

**eTendering Link:** <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=1240>

Dear Sir/Madam,

Thank you for the interest you have shown in this tender procedure.

1. The European Union Agency for Network and Information Security (ENISA) is planning to award the public contract referred to above. Please find enclosed the related tender documentation which consists of this invitation, the tender specifications with its annexes and the draft contract.
2. If you are interested in this contract, you are requested to submit your offer electronically via the e-Submission application on the e-Tendering website, in one of the official languages of the European Union, preferably in English, no later than **05/02/2016** at **23:59 (CET) Central European time**.

In order to access the e-Submission application, please refer to the instructions under Part 3 of the tender specifications.

3. Offers must be:
  - signed by a duly authorised representative of the tenderer (the '*Tender preparation report*' must either be hand signed or electronically signed – for more details refer to Part 3 of the tender specifications);
  - perfectly legible so that there can be no doubt as to words and figures;
  - drawn up using the template forms provided (where applicable) with the tender specification.
4. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is three (3) months from the date indicated in point 2.
5. Submission of an offer implies acceptance of all the terms and conditions set out in this invitation to tender, in the tender specification and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. Submission of an offer is binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. All costs incurred during the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.





7. Contacts between ENISA and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of an offer:

At the request of the tenderer, ENISA may provide additional information solely for the purpose of clarifying the nature of the contract. Any requests for additional information must be made in writing only through the e-Tendering website, using the “*questions and answers*” tab, by clicking “*create a question*”.

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=1240>

ENISA is not bound to reply to requests for additional information made less than five working days before the deadline for submission of offers.

ENISA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders. Any additional information including that referred to above will be posted on the e-Tendering website. The website will be updated regularly and it is your responsibility to check for updates and modifications during the tendering period.

After the final date for submission of an offer:

If clarification is required or if obvious clerical errors in the tender need to be corrected, ENISA may contact the tenderer provided the terms of the tender are not modified as a result.

8. Timetable for tender procedure:

| MILESTONES                                                                 | DATES                         | TIME                                     |
|----------------------------------------------------------------------------|-------------------------------|------------------------------------------|
| Deadline for request for information or clarifications from ENISA          | 28 <sup>th</sup> January 2016 |                                          |
| Last date on which clarifications are issued by ENISA                      | 29 <sup>th</sup> January 2016 |                                          |
| Deadline for <b>electronic reception</b> of offers via <b>e-Submission</b> | 5 <sup>th</sup> February 2016 | <b>23:59 CET (Central European time)</b> |
| Opening of offers                                                          | 8 <sup>th</sup> February 2016 | <b>11:00 EET (Eastern European time)</b> |
| Evaluation of offers                                                       | TBA                           | <b>10:30 EET (Eastern European time)</b> |
| Contract signature (estimated)                                             | Mid - Late March 2016         |                                          |





9. The public opening of the offers will take place on the date and time indicated in section 8 above, at the ENISA premises in Heraklion Crete. One representative of each tenderer, duly mandated by the authorised representative of the tenderer, is allowed to attend this opening. If a tenderer wishes to be present, he/she shall inform ENISA services not later than two days before the opening date, via the following e-mail address [procurement@enisa.europa.eu](mailto:procurement@enisa.europa.eu)
10. This invitation to tender is in no way binding on ENISA. ENISA's contractual obligation commences only upon signature of the contract with the successful tenderer.
11. Up to the point of signature, ENISA may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.
12. Once ENISA has opened the tender, it becomes its property and it shall be treated confidentially.
13. You will be informed of the outcome of this procurement procedure by e-mail. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check it regularly.

If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 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. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by ENISA. Details concerning the processing of your personal data are available in the ENISA privacy statement at:

<http://www.enisa.europa.eu/procurement/repository-of-files/privacy-statement-enisa-procurement-procedures>

14. Your personal data may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

- the Commission Decision 2014/792/EU of 13.11.2014 on the Early Warning System to be used by the authorising officers of the Commission and by the executive agencies (for more information see the Privacy Statement on

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm),

or

- the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on

[http://ec.europa.eu/budget/library/sound\\_fin\\_mgt/privacy\\_statement\\_ced\\_en.pdf](http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf)





Yours sincerely,

< signed >

Demosthenes Ikonomou  
Head of Information Security and Data Protection Unit

Annexes:

Terms of Reference and Tender Specifications\_D-COD-16-T08

Annex I: Legal Entity and Bank account

Annex II: Declaration of honour on exclusion criteria

Annex III: Financial Offer form\_D-COD-16-T08

Annex IV: Draft Service Contract

Annex V a: Power of Attorney - ad-hoc grouping

Annex V b: Power of Attorney - legal grouping

Annex VI: Subcontractors form

Annex VII: Checklist of documents for e-SUBMISSION application

Annex VIII: e-Submission - Quick Guide for Economic Operators

Annex IX: ENISA Guide to creating an ECAS account

