



ANNEX A

SCENARIO - Terms of Reference

“NIS INVESTMENTS 2023”

for ENISA F-PDI-22-T37

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1. GENERAL DESCRIPTION OF THE REQUIRED SERVICES

1.1 Background Information

In November 2022, ENISA, the EU Agency for Cybersecurity published its second report on NIS investments. The report focused on how organisations identified as Operators of Essential Services (OES) and Digital Service Providers (DSP) in accordance with the NIS Directive¹ in all 27 EU Member States (MS) spend their information security budget and how this spending has been influenced by the NIS Directive. The report also presented aspects related to the implementation of the NIS Directive as well, highlighting aspects related to the organisation of NIS Directive implementation projects and relevant challenges, costs incurred due to significant cybersecurity incidents and presented comparative data with the global market as well as information security market trends.

1.2 Objectives

The objective of this project is to support the drafting of a follow-up report consolidating a representative sample of data related to NIS investments by private sector operators in the EU in order to allow for a comprehensive analysis of how the relevant NIS budgets have evolved and what the spending priorities are. The report is intended to serve as a continuation of the previous ENISA reports on NIS investments. The project has the following objectives:

- Maintain the annual collection of key NIS investments data to develop a historical dataset through a fixed part of the questionnaire (i.e. same set of questions as last year)
- Offer additional granularity in certain types of data (e.g. identify correlations/links between investments and operational capabilities or identify emerging investment priorities)
- Offer insights into operational capabilities of OES/DSP in the EU.

The scope and objectives of this report have been developed in consultation with the European Commission and EU MS, as represented via the ENISA National Liaisons Officers (NLO) Network and the NIS Directive Cooperation Group. It is foreseen that both the European Commission and EU MS will be key stakeholders throughout the project and will be consulted in different stages of its implementation.

As for the new **data collected within this project, their ownership will pass to ENISA. The data can be anonymised to protect Contractor's or Sub-contractors' proprietary databases**, but every datapoint (respondent answer) shall provide the basic information about respondent, at the following level of detail:

- respondent's country,
- respondent's industry and sub-industry (if provided),
- respondent's organization size,
- respondent's role in the organization.

¹ <https://ec.europa.eu/digital-single-market/en/directive-security-network-and-information-systems-nis-directive>
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2. DELIVERABLES AND TASKS

Deliverable

The contractor should produce one deliverable:

- D1: NIS investments 2023.

This deliverable should consolidate all cybersecurity investment information collected and analysed in order to meet the aforementioned project objectives. In the following paragraphs of this document, we describe the detailed tasks, which will have to be carried out by the tenderer to reach the previously described objectives and generate the deliverable.

2.1 Task 1 - Preparation of the survey

The objective of this task is to determine the methodological aspects of the survey.

The contractor is expected in their offer to specify how they propose to cover the full EU scope in terms of MS (e.g. online survey, telephone interviews) and state any potential constraints.

During this task, **the questionnaire will be prepared** and finalised. It is expected that the questionnaire will be largely based on the one used last year but changes will be discussed to address the objectives of this project. It should be noted that the European Commission and the EU MS will be consulted during this task to comment and provide feedback on the draft questionnaire prior to finalisation.

In addition, the contractor will present possibilities of updating the contents of chapter 2 of the 2021/2022 NIS investments reports by providing a 1-year increment to the relevant data.

Finally, the contractor will work with the ENISA project team to define – or identify improvements to - the framework that will be used to group, present and analyse the relevant data.

2.2 Task 2 - Data collection

This activity involves the **collection of the relevant data** via surveys of the organisations in scope.

2.3 Task 3 - Consolidation and analysis of data

After the collection of the data on cybersecurity investments the contractor will produce all the relevant graphs, charts etc. The contractor will also conduct an analysis in order to identify gaps, patterns, challenges, issues, opportunities etc.

The result of this task is the final draft report including all consolidated data presented in graphs, charts etc. along with the relevant analysis thereof. The draft report should clearly specify traceable sources for all information and well-reasoned argumentation for any judgements made. It should also clearly separate conclusions from any technical argumentation supporting them. This way the conclusions are understandable by non-technical readers.

The draft report will be sent to the European Commission, the NIS Directive Cooperation Group and the NLO Network for comments. The contractor may be requested to address some of the received comments if necessary in order to support the finalisation of the report.

If required ENISA will request proof reading services to be provided by a native English speaker. This will be included in the tasks of the contractor.

During this task, the contractor will also hand over the raw data in a format that can easily be imported in the internal knowledge base to be developed by ENISA².

2.4 Task (on-going) - Project management

We expect the tenderer to carry out appropriate project management, and to adopt a sound planning of time and resources, according to proven expertise and prior knowledge of the subject.

We expect the tenderer to interact with ENISA staff regularly and to provide progress reports on a regular basis. The tenderer will need to send to ENISA a brief **monthly progress report** explaining the status of tasks in the planning and issues if any. The tenderer is expected to discuss progress with ENISA in a virtual meeting (conference call) on a **bi-weekly** basis and provide the minutes of these calls.

The prospective contractor is expected to submit, prior to the kick off meeting, a detailed Gantt chart, describing the project plan in more detail. These will be discussed with ENISA in the kick-off meeting before 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
- 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 prospective contractors on the tasks and topics of this tender including references to previous, relevant projects,
- 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 prospective 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 prospective contractor is expected to deliver the following documents regularly:

- 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

² Development of the knowledge base will take place in parallel with and is outside the scope of this project
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- 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 bi-weekly teleconferences with ENISA staff on the progress of the project and its tasks

At least the following communication with the Contractor is expected:

- Regular video or teleconferences via Skype, Lync (bi-weekly or at more frequent intervals to be agreed upon) on the progress achieved.
- Monthly progress reports (template provided by ENISA).
- It is expected that the prospective contractor performs a first level of proof-reading before transmitting any document to ENISA and proof read the final deliverable by an English native speaker prior to submission.

The contractor is expected to send two-weekly progress reports using the ENISA template to the ENISA project manager(s) about the project and to schedule bi-weekly videoconference meetings about the progress.

The progress reports should include (in bullets) what has been done the previous two weeks, the status, what is planned for the next two weeks, the risks and suggested solutions and finally, points to take decisions upon.

After every meeting (progress meetings, or project meetings), the contractor should take minutes and send them to the ENISA project manager(s) using the ENISA template.

3. DURATION AND DEADLINES

The duration of this work is foreseen as follows.

- Kick off meeting – no later than one week after Specific Contract signature.
- Task 1: finalisation of questionnaire – no later than 5 weeks from kick-off meeting.
- Task 2: Data collection complete – no later than 10 weeks from the end of Task 1.
- Task 3: Final draft report – no later than 7 weeks from the end of Task 2.
- The contractor might need to integrate comments and update the final draft from validations and discussions for an additional period of 8 weeks.

The Tenderer is required to provide a plan in their proposal for the time schedule of the activities in order to carry out the project (e.g. including a Gantt chart). The tenderer may propose to carry different activities in parallel. In its proposal the Tenderer shall indicate the estimated amount of person days required to accomplish all tasks associated with this procurement.

ENISA expects that the contractor will deliver a project plan indicating the execution of these activities.

4. LIST OF DELIVERABLES

The contractor is expected to produce one deliverable:

D1 - the output from the Tasks 1-3 listed above.

English is the language to be used for all the documents produced. The layout of the final report should be based on the templates provided by ENISA. The final report is expected to be proofread by a native English speaker. At the end, ENISA may edit the full report and publish it.

English is the language to be used for all the documents (interim and final reports, project management reports etc.) produced.

The final deliverables should use the standard ENISA document templates, which will be provided to the successful contractor. In addition, final deliverable should be written and proof-read by the Contractor following the European Commission English Style Guide³ or any other style guide document that ENISA will provide to the successful contractor

5. PLACE OF EXECUTION OF THE ACTIVITIES AND COMMUNICATIONS

The execution of the activities will take place at the Contractor's premises. Network based collaborative tools (i.e. videoconferencing) will be used as working methods.

At least the following communication with the contractor is expected.

- A physical meeting at the ENISA Office in Athens Greece
- Regular video or teleconferences on the progress achieved

It should be mentioned that the Contractor's costs of potential business trips – if needed - should be included in the total offer. ENISA will not additionally reimburse the contractor for taking part in these meetings.

In order to save project resources, the information exchange will be performed mainly via electronic means, such as e-mail, web and phone conferencing. ENISA will facilitate this information exchange by mediating between the contractor and the involved stakeholder group when necessary and especially during the initial phases of the project.

7. ESTIMATED CONTRACT VALUE

The total estimated budget cannot exceed **270,000.00 Euro (two hundred and seventy thousand Euro)** all tasks executed and including all costs (e.g. travelling expenses of the Contractor to and from ENISA's premises).

PLEASE NOTE: We estimate that the services required should reasonably be priced between **€220.000 and (not higher than) €270.000** - any lower offer may be considered to be abnormally low and could be declared invalid.

8. CONTENT AND PRESENTATION OF THE SCENARIO TECHNICAL OFFER

The Tenderer shall enclose with the **Technical Offer** all documents and information that will enable its offer to be assessed in terms of quality and of compliance with the Project 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.

The Technical Offer should be structured as follows:

³ http://ec.europa.eu/translation/english/guidelines/documents/styleguide_english_dgt_en.pdf
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- **Section 1: Tasks and Deliverables**

- The description of the **approach and methodology** to perform each task and ensure the quality of the respective output, particularly as regards ensuring consistency and accuracy of collected data; if acquired from sub-contractors, the methodology shall cover how the data is validated and verified
- The offer shall **clearly state the proposed targets regarding coverage** (in terms of number of OES/DSP) of the different sectors / countries in scope, as well as the tenderer's **approach for ensuring the set targets are met**
- A clear indication of the **readily available data** to update the contents of chapter 2 of the 2021 NIS investments report by providing a 1-year increment to the relevant data
- The **approach for handing over the data** to be imported in the knowledge base, including how data quality assurance / sanitisation will be performed.

- **Section 2: Project Team**

- **Short CV's of the experts** that will be allocated in the project focusing on their experience and expertise on the areas covered by the study.
- Description of relevant **roles/responsibilities** within the proposed project team
- Description of **tasks/activities** to be undertaken by each project team member
- **Allocation of person-days** per project team member and per task.
- If applicable, **justification for subcontracting**

- **Section 3: Project Management and Quality Assurance**

- The approach and methodology for overall project management, communication and quality control, including provisions for proof reading of deliverables
- Project planning, including project Gantt Chart with key milestones
- The foreseen project risks and how are going to be mitigated.

9. CONTENT AND PRESENTATION OF THE SCENARIO PRICE OFFER

The Scenario Price offer must be submitted using Part 2 of 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.