TENDER DOCUMENT 3 (TD 3): EURI TEMPLATE

**Processing of Classified Information and**

**Nomination of Accountable Person**

1. **Introduction**

Tenderers must keep confidential any information obtained in the context of the tender procedure (including RESTREINT UE/EU RESTRICTED information). See Articles 10 and 16 of the Framework Agreement (TD3).

All documentation, data, statistics, drawings, information, samples or material disclosed or furnished by the Lead Procurer during the course of the PREVENT PCP:

* Are furnished for the sole purpose of replying to this PCP only.
* May not be used, communicated, reproduced or published for any other purpose without the prior written permission of the Lead Procurer.
* Shall be treated as confidential by the Tenderer, members of a Consortium (if applicable), subcontractors (if applicable) and Third Parties (if applicable) engaged or consulted by the Tenderer.
* Must be destroyed immediately if the Tenderer decides not to submit a Tender, if the Prevent PCP is cancelled or completed, or if the Tenderer is not awarded a Framework Agreement and related Phase Contracts.

In order to start exchanging classified information at the level of RESTRAINT UE/EU RESTRICTED, it is necessary to establish the preparedness of Tenderers interested in the project and potential Contractors, as well as the necessary contact details of persons or entities that will handle RESTRAINT UE/EU RESTRICTED information on behalf of the interested Tenderers and potential Contractors on their premises, both electronically and on paper.

Access to RESTREINT UE/EU RESTRICTED information shall only be granted after:

* The need for an individual to have access to a project deliverable classified as RESTREINT UE/EU RESTRICTED information has been determined.
* The individual has been briefed on the rules and the relevant security standards and guidelines for protecting RESTREINT UE/EU RESTRICTED information.
* The individual has acknowledged their responsibilities for protecting the information concerned.

Each Tenderer, each member of a Consortium (if applicable), each subcontractor (if applicable) and each Third Parties (if applicable) also has to sign and submit this form and shall be responsible and liable for ensuring that the above conditions are fulfilled for the individuals they grant the access to. The obligation will last for 4 (four) years after the signing of this document.

In the case of members of a Consortium (if applicable), subcontractors (if applicable) and Third Parties (if applicable) that join on a later stage, the Tenderer that first received the RESTREINT UE/EU RESTRICTED information will be responsible and liable for the handling of (and potential damages caused by) the RESTRAINT UE/EU RESTRICTED information by the new partners.

In case the Tenderer or the Consortium do not want to participate in the PREVENT PCP or the Framework Agreement and relative Phase Contract is terminated, documents classified as RESTREINT UE/EU RESTRICTED shall be destroyed in a way which prevents reconstruction, in whole or in part.

In addition to destroying the documents in a proper manner, the Tenderer or the Consortium will have to submit a self-declaration indicating that the RESTRAINT UE/EU RESTRICTED information has been properly eliminated (following the template under section 7).

Subcontractors (if applicable) and Third Parties (if applicable) are also subject to these obligations.

1. **National Rules**

The scope of PREVENT PCP requires that Tenderers interested in the project and potential Contractors take all measures prescribed by the National Security Authority/Designated Security Authority (NSA/DSA) for safeguarding EU classified information and maintain a continuing relationship with their NSA/DSA. A list of the relevant NSAs is included in Annex 3 of the Commission Decision 2015/444/EC, EURATOM of 13 March 2015 on the security rules for protecting EU classified information and implementing instruments.[[1]](#footnote-1) The security equivalence with the national security classification can be found in Annex I of the same document.

The national rules are generally similar to the Commission security rules but they may establish specific rules on authorizing access to classified information or prescribe rules on the physical protection of premises where RESTRAINT UE/EU RESTRICTED information is processed. Each tender must comply with EU legislation, as well as the law of the Member State to which it belongs.

1. **Exchange of RESTRAINT UE/ EU RESTRICTED information**

The exchange of RESTRAINT UE/ EU RESTRICTED information shall be done via postal mail and confirmation of receipt addressed to the Lead Procurer.

*Center for Security Studies (KEMEA), Hellenic Ministry of Interior, 4, P. Kanellopoulou str. 10177, Athens, Greece.*

*Att: Ms Panagiota Benekou*

1. **Local Accountable Person**

Each interested Tenderer and potential Contractor must nominate a Local Accountable Person. The Local Accountable Person shall be responsible for:

* Ensuring appropriate physical security at the physical location.
* Applying the respective Security Operational Procedures.
* Ensuring user security.
* Guarantying the safety and confidentiality of the RESTRAINT UE/EU RESTRICTED information.

Each Local Accountable Person shall closely cooperate with the PREVENT PCP Security Advisory Board and the Project Security Officer when dealing and protecting RESTRAINT UE/EU RESTRICTED information.

1. **Instructions**

Please fill in fields below and the self-declaration at the end of the document and send the document to the Lead Procurer of PREVENT PCP to the address below:

*Center for Security Studies (KEMEA), Hellenic Ministry of Interior, 4, P. Kanellopoulou str. 10177, Athens, Greece.*

*Att: Ms Panagiota Benekou*

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| --- | --- |
| **Company:**  Please identify the name company on whose behalf you are filling in this questionnaire. |  |
| **Contact person (Local Accountable Person):**  Please fill in the name, email and telephone number of the person(s) designated for the contact with your NSA and the Security Advisory Board related to classified information. This can be for example your security officer but, if you prefer, it can also be an organisational entity such as your classified information registry. |  |
| **Please indicate the physical address for sending RESTRAINT UE/EU RESTRICTED to your organisation.**  This can be an address of an organisational entity such as your classified information registry or an individual such as your security officer. The premises must have the appropriate level of security to protect the information. |  |

1. **Declaration: RESTRAINT UE/ EU RESTRICTED information**

By submitting this signed self-declaration you are confirming that the information given is complete and accurate. You are confirming that:

* Your contact person (Local Accountable Person) has the skills and capabilities to carry out their tasks related to RESTRAINT UE/EU RESTRICTED information.
* You will comply with the Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information and the law of the Member State to which you belong.
* You either have the means to process RESTRAINT UE/EU RESTRICTED information electronically in a system accredited in accordance with the applicable national legislation, or you have the means to handle paper copies of RESTRAINT UE/EU RESTRICTED securely in accordance with the applicable national legislation.
* You are responsible for ensuring that potential members of a Consortium, subcontractors and/or Third Parties (on which you may rely to comply with the Tender requirements) comply with all the obligations linked to RESTRAINT UE/EU RESTRICTED information.
* You will destroy and send a self- declaration indicating that the RESTRAINT UE/EU RESTRICTED information has been properly eliminated (following the template below).

By signing and submitting this application you acknowledge that you've read and understood the statement above and accept it without reservation.

I hereby confirm that I fully comply with the declaration as stated above.

**Signature**

*Please, sign here.*

1. **Declaration: destruction of RESTRAINT UE/ EU RESTRICTED information**[[2]](#footnote-2)

By submitting this signed self-declaration you are confirming that:

* You have destroyed all the documents classified as RESTREINT UE/EU RESTRICTED related to the Prevent PCP in a way which prevents reconstruction, in whole or in part.

I hereby confirm that I fully comply with the declaration as stated above.

**Signature**



1. <https://eur-lex.europa.eu/eli/dec/2015/444/oj> [↑](#footnote-ref-1)
2. Only to be filled in case documents classified as RESTREINT UE/EU RESTRICTED must be destroyed. [↑](#footnote-ref-2)