

Invitation number: 2023/S 002-002432

Invitation dispatch date: 29/12/2022

Request for expressions of interest and submission of proposals for the provision of Advisory services to the Hellenic Corporation of Assets and Participations S.A. for ‘Cybersecurity risk profiling, maturity assessment and development of maturity enhancement roadmap for the companies in the Growthfund portfolio’

29/12/2022

I. Introduction

THE HELLENIC CORPORATION OF ASSETS AND PARTICIPATIONS S.A. (‘Growthfund’ or ‘Company’) was established by virtue of Law 4389/2016 and operates in the public interest and in accordance with the rules of private economy.

To fulfil its purpose, the Company acts in an independent and professional manner, with a long-term vision for achieving its results, in accordance with its Rules of Procedure, guarantees of full transparency, and with a view to enhancing the value and improving the performance of its assets, while generating revenue for the Greek State.

According to Growthfund’s Strategic Plan 2022-24, a portfolio-wide Risk Management framework is being introduced to the portfolio companies. The Framework provides for risk mapping and management on five main pillars:

- Strategic risks
- Operational risks
- Compliance risks
- Financial risks
- IT/cybersecurity risks

More specifically, with regards to IT/cybersecurity risks, the Strategic Plan provides for the formulation and continuous updating of each company’s threat profile, considering its business and operational environment.

It also provides for the introduction of a cybersecurity risk management framework. Such a framework should consider the nature and scope of each Growthfund company’s activities, the different regulatory obligations, and the related observed cyberattack activity, in order to systematically map cybersecurity risks based on

international standards and best practices. It must also reflect the maturity of each company in terms of its cybersecurity risk prevention and mitigation mechanisms. It also provides for the formulation and monitoring of a roadmap for upgrading the cybersecurity maturity of the organization and reducing risks to levels that are acceptable to each business strategy.

To that end, Growthfund shall carry out a call for tenders to select an independent Advisor, recognised and of international standing, to provide advisory services for 'Cybersecurity risk profiling, maturity assessment and development of maturity enhancement roadmap for the companies in the Growthfund portfolio', with the following objectives:

- Implementation of the IT/Cybersecurity management pillar within the portfolio-wide Risk Management Framework
- Identification and assessment of IT risks for portfolio companies based on a common methodology, considering their impact on business operations and the likelihood of their occurrence
- Adoption of a systematic IT risk management methodology by portfolio companies, based on monitoring data and best practices
- Facilitation of communication and understanding of IT/cybersecurity risks by the competent bodies of each company and by Growthfund at a headquarters level, correlation of IT risks with impacts at the operational level
- Prioritisation of actions to mitigate risks, involving the accountable executives for their implementation
- Continuous monitoring of the efficiency of the residual risk management, briefing of each company's management and of Growthfund at headquarters level
- Continuous improvement of the process and the training of all involved personnel

Hereinafter, IT risks are referred to as "cybersecurity risks" or, for the sake of brevity, as "risks".

II. Scope of Services

The Advisor's services shall include:

- A. Implementation of a methodology that will include, but is not limited to, questions/interviews, analysis of the activity sector of each company and specific parameters that shape **the risk environment**, threat profiling and controls, correlation of infrastructure with services, etc. in order to record the inherent cybersecurity risks for the company, as well as the residual risks following the implementation of the existing controls:
 - The methodology must record the likelihood and impact of risks.
 - It must also lead to the target risk level being formed based on the risk strategy and the general risk level which the company accepts in the context of normal operation and the achievement of its business objectives (risk appetite).
 - It should lead to the representation of each company's risk profile and to the monitoring of the development of its risk profile by increasing the company's maturity in cybersecurity matters.
- B. The establishment of **a controls' framework** based on international standards, best practices, and regulatory obligations pertaining to each company according to its area of activity, its services and infrastructure, its business and operating activities. The controls framework, through the implemented controls per company, will reflect at all times the company's maturity in cybersecurity matters and may include controls from standards such as:
 - ISO/IEC 27001:2022
 - CIS controls v8

- NIST Cybersecurity Framework
- as well as
- Cybersecurity risk management measures and incident reporting obligations for critical infrastructure as they arise from European Commission NIS/NIS2 directives
 - Controls arising from sectoral standards and regulations per company activity sector
 - Specialised control sets such as the 'Self-Assessment Guide of network and information systems security of the Operators of Essential Services (OES)' issued by the Greek National Cybersecurity Authority.

The controls framework should organise the mechanisms/controls into individual areas, such as (but not limited to):

- Strategy, governance, and operating model
 - Security policies, standards, and architecture
 - Compliance
 - Information risk management
 - Human resources awareness and readiness
 - Risk management
 - Infrastructure security
 - Third-party risk assessment
 - Identity and access management
 - IT asset management
 - Threat detection and management
 - Incident management
 - Resilience
 - Secure Software Development Lifecycle
 - Industrial IT (where applicable)
- C. Structured documentation of **the current and residual controls** from all the controls included in the framework created for the company, with recorded evidence of the current control-implementing mechanisms. Matching the current controls to the inherent risks they counter. Correlation of the residual controls with the risks that must be eliminated in order for the company to reach the risk level that has been set as a target, per area.
 - D. Formation of a **risk response plan/roadmap** for transitioning to the target risk level by implementing/activating controls/control mechanisms. Monitoring the implementation of the roadmap, delivery of support and advisory services for the optimum implementation of the relevant actions. Reports on the implementation of the roadmap.

The Growthfund companies for which the above Advisory services must be provided, by sector of economic activity, are:

- Utilities
 - ATHENS WATER SUPPLY AND SEWERAGE S.A. (EYDAP) (<https://www.eydap.gr/>)
 - THESSALONIKI WATER SUPPLY & SEWERAGE CO. (EYATH) (<https://www.eyath.gr/>)
- Transport/infrastructure
 - Transport for Athens (OASA) (<https://www.oasa.gr/en/>)
 - OSY (<https://www.osy.gr/>)
 - STASY (<https://stasy.gr/en/>)
 - Corinth Canal (AEDIK) (<https://corinthcanal.com/>)
- Asset management
 - TIF/HELEXPO (<https://helexpo.gr/>)
 - GAI AOSE (<https://www.gaiuose.com/>)
 - Hellenic Public Properties Co (ETAD) (<https://hppc.gr/>)

- Hellenic Republic Asset Development Fund (TAIPED) (<https://hradf.com/>)
- Postal services
 - Hellenic Post (ELTA) (<https://elta.gr/>)
- Central food markets/goods supply services
 - Central Markets and Fishery Organisation (OKAA) (<https://www.okaa.gr/>)
 - Central Market of Thessaloniki (KATH) (<https://www.kath.gr/el>)
 - Hellenic Saltworks (ALYKES) (<https://saltworks.gr/>)

Considering the nature, scope of activity, regulatory obligations, and characteristics of the infrastructure and services of the portfolio companies, the Advisor will be required to provide its services to the above companies distinguishing two main categories of companies:

- 1st category: EYDAP, EYATH, OASA, OSY, STASY, ELTA, which manage infrastructure in the field and fall under the scope of the EU NIS/NIS2 Directive
- 2nd category: OKAA, KATH, AEDIK, TIF/HELEXPO, ETAD, GAIAOSE, TAIPED, ALYKES

For the 1st category, the Advisor shall, during the implementation of services A, B, C, and D, implement a detailed controls framework based on their regulatory obligations. It should also capture the threat profile as well as the correlation of critical infrastructure (crown jewels) with services.

For services A, B, C, and D and for all companies, the Advisor must use a suitable platform/tools to record and depict the relevant controls, the cybersecurity maturity based on the controls in effect, as well as implementation evidence for these controls, the risk profile, the target with regard to the risk profile, and the roadmap for the implementation of controls and actions for addressing the residual risks to achieving the goal.

The cost of the user licenses, operation, and support of the platform/tools is entirely within the subject of this project.

The platform must be fully accessible for the competent portfolio company executives to input data, respond to questionnaires, and produce and access reports/dashboards.

It is desirable for the platform to generate reports/dashboards at group level. It is also desirable for it to provide international benchmarking capabilities regarding the risk profile and maturity of the implementation of the controls of the companies depending on their sector of economic activity.

If there is no platform access capability for company executives after the project is completed, the Advisor must provide documentation to each company regarding the current risk profile, the implementation of mechanisms/controls and the relevant documentation, as well as the roadmap for upgrading the company's maturity in editable form.

This procedure falls under to the following CPV codes (Common Procurement Vocabulary):

CPV	Description
79410000-1	Business and management consultancy services
79411000-8	General management consulting services

72150000-1	Computer audit consultancy and hardware consultancy services
72246000-1	Systems consultancy services

Greece shall be the place where the aforementioned services are provided.

Interested parties (hereinafter the “**Interested Parties or Advisors**”) are hereby invited to submit a proposal (hereinafter the “**Proposal**”) in accordance with the terms of this Request for Proposals (hereinafter the “**Request for Proposal**” or “**Request**”).

Interested Parties may also participate in the form of a joint venture or consortium. In this case, a member of the joint venture or consortium is appointed as Leader.

Proposals shall be submitted in Greek or English.

The tender process to award the services referred to in this Request for Proposals is conducted in accordance with Growthfund’s Procurement Regulation (hereinafter the “**Regulation**”) and in accordance with Article 189(1)(e) and (2) of Law 4389/2016, approved by the sole Shareholder of Growthfund by decision dated 18.11.2016, and published on the official website of [Growthfund](#).

Moreover, Article 377(5) of Law 4412/2016, as in force, provides that the provisions of Article 189(1)(e) and (2) of Law 4389/2016, as well as any delegated acts of these laws, remain in force even after entry into force of the national legislation on public contracts (Law 4412/2016).

Growthfund is therefore launching an international tender process, in accordance with Rule 2.4 of its Regulation.

The Tender Process was submitted to the following disclosure processes:

- a. Dispatch of tender notice to the Official Journal of the EU on 29/12/2022 and published on 03/01/2023 (Notice number in the EU: 2023/S 002-002432).
- b. Publication on Growthfund’s website.

Growthfund’s registered office and contact details/access to information.	<p>4 Karagiorgi Servias Street, GR-105 62, Athens Greece</p> <p>Code NUTS EL 303</p> <p>Tel. No +30 0030 210 0106900</p> <p>Fax No +30 0030 210 0106953</p> <p>Website www.growthfund.gr</p> <p>Additional information can be requested at the following email address: info@growthfund.gr</p>
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Questions relating to the Request for Proposals procedure	Interested Parties may submit questions in writing to the Growthfund no later than 10 days prior to the closing date for submission of proposals. Questions should be submitted to the following e-mail address: info@growthfund.gr and the parties will receive the answers electronically.
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Proposals submitted to Growthfund that are not in accordance with the provisions hereof shall be considered invalid and shall not be evaluated by Growthfund. Each Interested Party, including consortia/joint ventures, shall submit a Proposal for all requested services mentioned in this Request.

It is assumed that Interested Parties, through their participation in this process, fully and unreservedly agree with the terms of this Request, that they fully and unreservedly guarantee the accuracy of their financial offer, and that the Proposal submitted is binding for a period of six (6) months.

Growthfund may at any time request relevant documentation for the Proposal submitted, either at this stage or prior to the conclusion of a contract or thereafter.

III. Duration

The service provision contract has a duration of 1 (one) year, starting from the date the contract is signed; it can be renewed for 1 (one) plus 1 (one) year, following the exercise of the exclusive unilateral right of the Company, which, should it exercise this right, shall notify the Advisor in writing that it wishes the contract to be extended two (2) months prior to the end of the 1st and 2nd year, respectively.

IV. Budget

The maximum budget for providing the above services for the first year amounts to **€180,000**, excluding VAT. The maximum budget for all three years cannot exceed **€360,000**, excluding VAT. Proposals that exceed the above budget shall not be considered. This amount shall include the total of any expenses / expenditures required for the implementation of the project.

The option right, in case of contract renewal by 1 (one) plus 1 (one) year, amounts to 50% plus 50% (total of 100%) and pertains to the provision of Advisory services as described in this Request in addition for the years 2024 and 2025, respectively.

If the project's duration is extended to 2 (two) or 3 (three) years based on the option right, the scope for the second and third year of the project will pertain to the continuation of the use of the platform, as implemented and configured in the first year of the project, updating the threat and actual risk profile of each portfolio company, as well as the target for the risk profile at the end of the respective year, updating controls' application evidence, and updating the roadmap for the transition to the new IT risk level target by the end of the respective year.

The selected Advisor shall be requested to issue a letter of guarantee for an amount equal to 10% of the agreed fee. If the duration of the contract is extended, the Advisor shall submit a letter of guarantee covering the total duration of the project and amounting to 10% of the total value of the contract.

V. Grounds for Exclusion

The Interested Parties participating in this Request fully and unreservedly declare and accept that:

- (i) None of the grounds for exclusion provided for in Article 57(1) of Directive 2014/24 apply to their person. In the case of a legal person, the above grounds for exclusion shall not apply to any member of the administrative, management or supervisory body or to persons who have powers of representation, decision-making or control.

The objective of establishing grounds for exclusion is to assess whether an Interested Party (or a member of the administrative, management or supervisory body or a person with powers of representation, decision-making or control) falls under the exclusion cases set out in Article 57(1) of Directive 2014/24, i.e. whether the Interested Party has been convicted by a final judgment for one of the following reasons: for participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; for corruption, as defined in article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as according to the definition of corruption in national law, namely Articles 159A, 236, 237 paragraphs 2-4, 237A paragraph 2, 396 paragraph 2 of the Greek Criminal Code; for fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests; for terrorist offences or offences connected to terrorist activities, as defined, respectively, in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, or inciting, aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision; money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and the Council; child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council.

- (ii) They shall hold a tax and social security clearance certificate and shall not violate their obligations with regard to the payment of taxes or social security contributions, and they shall also comply with the obligations arising from the provisions of environmental law, social security law, and labour law, as provided for in Directive 2014/24 (Article 18, paragraph 2).

With respect to the payment of taxes or social security contributions, this ground for exclusion shall cease to apply when the Interested Party has fulfilled its obligations either by paying its taxes or the social security contributions owed, including, as the case may be, any interest accrued or fines, or by entering into a binding arrangement for their payment.

- (iii) They are not bankrupt or being wound up or subject to a pause in operations, their affairs are not being administered by a liquidator or the court, they have not entered into an arrangement with creditors, their business activities have not been suspended and they are not in any analogous situation arising from a similar procedure under national laws and regulations;
- (iv) They have not committed any grave professional misconduct that would call into question their integrity.

Any Interested Parties falling within the scope of exclusion grounds will be dismissed.

As proof of the above, each candidate shall submit a European Single Procurement Document (ESPD). In the case of consortia/joint ventures, the grounds of exclusion are examined in relation to each individual member of the consortium/joint venture. If the competence(s) of third parties are relied upon, the grounds for exclusion shall also be examined with regard to the above entities (the third parties), in accordance with the provisions of this Request. Interested Parties shall also include an ESPD for the above entities in the corresponding Dossier with their Proposal.

VI. Reliance on other entities' competence to meet selection criteria

In order to meet the eligibility criteria, an Interested Party may also rely on the competence of other entities, regardless of the legal nature of the ties it has with them. As regards the technical and professional selection criteria, the tenderer may rely on the competence of other entities, provided that such entities will perform the works or services for which such competence is required.

Growthfund requires that the tenderer replaces an entity that does not meet a relevant selection criterion or for which there are mandatory grounds for exclusion. When the tenderer relies on the competence of other entities with regard to criteria related to financial competence, the tenderer and these entities shall bear joint responsibility for the performance of the contract.

The Interested Parties must demonstrate that they will have the necessary resources to perform the contract by providing a letter of commitment signed by an authorised representative of this entity, and by providing evidence proving that these other entities possess the respective competence set out in the terms of this Request.

In particular, a document (either a contract or, in the case of a legal person, a decision of the competent management body or, in the case of a natural person, a solemn declaration) is submitted, based on which both the tenderer economic operator and the third party certify that the entity has the financial and/or technical and/or professional competence which is available to the tenderer for the execution of the agreement. The relevant document must be detailed and must include at least the specific resources that will be made available for the execution of the contract, as well as the manner in which they will be used. The third party will expressly undertake to make these resources available to the tenderer during the effective term of the contract, while the tenderer will make use of the resources in the event of the contract being awarded. Where the third party is financially competent, it shall also state that it is made, jointly with the tenderer, responsible for the execution of the contract. Where the third party has technical or professional competence with regard to qualifications and professional experience, it will undertake the obligation to perform the duties or services for which specific skills are required, stating the part of the contract that it will perform.

VII. Selection Criteria – Evaluation of proposals

The Interested Parties must demonstrate their financial and technical competence and professional experience with regard to the awarding. The selection criteria for this Request for Proposals, such as, inter alia, the minimum standards of competence, the basis of assessment, and the evidence required, are specified in the following subsections. Proposals submitted by Interested Parties that do not meet the minimum competence levels provided for in the following points shall be rejected.

Performance and experience that exceeds the minimum prerequisites shall be assessed as follows:

- In the case of a consortium, experience may be covered collectively by all consortium members.

- In terms of experience, Interested Parties may rely on other entities. In this case, they shall demonstrate that they will have the necessary resources by submitting the respective commitment undertaking from the entities on which they are relying (see relevant section).

The interested parties shall, inter alia, have and be able to prove and provide indisputable evidence of their in-depth knowledge of the market and their specialisation in similar projects.

More specifically, the qualitative and quantitative financial selection criteria as regards interested parties, are:

1. **Performance and Experience:** Clear description of relevant experience and performance in the provision of such specialised services (**DOSSIER A**). Documentation of relevant experience in the Greek or international market (weight 30%) must be included in the expression of interest dossier, specifically:
 - Candidate contractors shall have successfully executed, during the past three (3) years (2019-2022) and up to the publication time of this Request, at least five (5) projects that cumulatively include the following scopes:
 - Implementation of methodology for threat profiling, IT/cybersecurity controls implementation as well as risk profiling
 - Establishing a controls framework based on international standards, best practices, and regulatory obligations, for the assessment, reporting and upgrading of maturity in cybersecurity issues
 - Forming a risk response plan/roadmap for transitioning to the target risk level

These projects must have been executed for recipients active in two or more of the sectors of economic activity of the companies in Growthfund's portfolio, cumulatively.

Moreover, the tools/platform included in the candidate contractor's bid must have been used in the above projects.

For the documentation of each project, reference should be made to the budget, the project commencement date, the recipient, public or private, and the date of successful completion of the project. To this end, the economic operator must submit, on penalty of exclusion, a list of similar projects, according to the following template

S/N	Customer	Title and brief description of the project	Duration of project execution	Budget (euros)	Participation percentage

The Company reserves the right to request evidence of execution of the above projects, clearly indicating the commencement time, duration, method and place of execution, and budget of each project.

2. **Project Team:** Prospective contractors must have the necessary technical personnel with knowledge and experience in the field of cybersecurity and the provision of consultation services to assess, report and upgrade the maturity in cybersecurity issues. In particular, they must have a Project Team, which shall consist of at least one (1) member with at least 5 (five) years of experience and at least 4 (four) members with at least 1 year of experience in the above project category.

The expression of interest dossier must include the proposed composition of the Project Team and its proposed structure, including the relevant experience of the Project Manager. It must also include the curriculum vitae of the members of the proposed team, as well as an exact description of each member's added value to the team, depending on their area of competence and experience (**DOSSIER B) (weighting 20%)**).

3. **Methodological approach:** The interested parties must submit in their proposal a brief description of the proposed approach to the project, the identification of the important issues, the method of work with particular emphasis on the methodology for determining the risk profile, the assessment and reporting on cybersecurity maturity regarding the application of controls and control mechanisms, as well as the monitoring of the roadmap for the upgrading of maturity with regard to the target risk level. The methodological approach should include a detailed description of the services offered. (**DOSSIER C) (weight 20%)**).
4. **Financial Offer:** Candidates' financial offers (**DOSSIER D)** must specify the fee for the first year and for the second and third years separately, which shall include any expenses/costs (**weighting 30%**).

Growthfund requires Interested Parties to explain the charges mentioned in the Proposal, in the event that the relevant fees in these Proposals seem unusually low in relation to the respective services, in accordance with Article 69 of the Directive 2014/24.

The financial offer should be absolutely clear, whereas it will be excluded if it contains proposals that do not allow for an exact and complete comparison of the offers (for example, "To be discussed", "Depending on x", "alternative financial offer", etc.) or if they refer to external conditions.

Proposals will be evaluated based on the aforementioned qualitative criteria under points 1, 2, 3 and the financial offer pertaining to the services of the first year, which will be taken into account with the respective weighting factor.

In particular, the combined score (TPMi) for each bidder will be calculated according to the following equation:

$$TPMi = [TMi / TMmax] * 0.80 + [FMmin / FMi] * 0.20$$

where,

- TMi = The Bidder's Overall Technical Rating i
- TMmax = Highest Technical Score Among Bids
- FMi = The Bidder's Financial Offer i
- FMmin = The Lowest Financial Offer Among the Bids

The minimum requirements for participation set forth in this Request must be met. Proposals that do not meet the minimum participation requirements shall not be further evaluated. Therefore, the Financial Offers will not be considered for the purpose of determining the most economically advantageous Proposal.

Each criterion shall be evaluated based on a maximum score of ten (10) points and then multiplied by the corresponding weighting factor that applies to each criterion. The result of the technical evaluation is the sum of the points secured based on the evaluation of each criterion, multiplied by the corresponding weighting factors.

VIII. Qualifications for Quality Assurance matters (DOSSIER E)

Interested Parties must submit a brief description along with their Proposal, as well as certificates in relation to quality assurance matters. The minimum qualifications in the field of quality assurance is the EN ISO 9001:2015 Certificate or an equivalent quality management certificate.

In the case of a consortium, the Leader must have at least the above certificate.

Interested Parties cannot rely on other entities to meet the above requirements.

IX. ESPD (DOSSIER F)

As evidence that they do not fall under the grounds for exclusion and that they meet the selection criteria, each Interested Party must submit a European Single Procurement Document (ESPD) with their Proposal, in accordance with the provisions of Annex I hereof. The declaration must be signed by an authorised representative of the entity providing it. Interested Parties that are consortia/joint ventures must include separately in the relevant Dossier a European Single Procurement Document for each member.

Interested Parties that are consortia/joint ventures shall include in the Dossier the declarations of each member, which appoint one member from the consortium as Lead Member, which is authorised to submit the Proposal on behalf of the consortium and its members, to act as a contact point between Growthfund and the relevant Interested Party, and as representative throughout this procedure and during the performance of the contract.

X. Declaration of no conflict of interest and financial competence

The interested parties and members of the project team shall solemnly declare that they are in no conflict of interest with regard to the services they are requested to provide to Growthfund, and that they do not have a professional relationship with, or that they are not providing services to, third parties such as may constitute a conflict of interest, and, should the project be awarded to them, it shall be stated that this shall not result in a conflict of interest for any of the parties involved.

In the event that external associates, employees of affiliates, or other legal persons are used in a joint venture or under a subcontract, a declaration of non-conflict of interest in accordance with the above shall be included in the dossier for each legal entity and the members of the project team by the given legal entity.

This declaration of non-conflict of interest (**DOSSIER G**) shall be in effect for the entire duration of the provision of services to Growthfund.

Growthfund may at any time request that interested parties and the project team members submit clarifications and evidence on issues relating to conflict of interest.

Interested Parties must adhere to and comply with the relevant professional code of conduct and the relevant confidentiality rules.

The Interested Parties, including the members of the project team, shall ensure the confidentiality of any available information either at the stage of the Tender Process or thereafter.

Interested parties must submit a solemn declaration (**DOSSIER H**) that during the past three (3) financial years, and according to their ledgers and records, their average annual turnover was at least twice the total budget of the agreement, namely the amount of 720,000 euros.

Interested parties submit respective audited statements for the past 3 available years.

In the case of a consortium/joint venture, the Interested Party's annual turnover will be considered cumulatively.

Interested Parties may rely on other entities as regards the financial reports required for the past three years. In this case, they shall demonstrate that they will have the necessary resources by submitting the respective commitment undertaking from the entities on which they are relying (see relevant section).

XI. Personal data

In the framework of tender submission and/or evaluation, Growthfund may collect and process personal data (such as, e.g., personal data of legal representatives/personnel of the company-interested party, etc.) as controller, if required. Any such processing shall be conducted in accordance with the provisions of the 'Personal Data Processing Policy - Update' of Growthfund, which can be found at the following link [Policy for the processing of Personal Data](#), and which is an integral part of this request.

Upon submission by interested parties of a bid for this tender, it is considered that the interested parties fully and unreservedly accept and declare the following:

- a. That they have carefully read, prior to submitting the tender for this Request, Growthfund's "Personal Data Processing Policy – Update", which is an integral part of this Request, and that they agree with its content.
- b. That they have informed the natural persons/individuals whose personal data may be transferred by the interested parties to Growthfund of said transfer and of the content of Growthfund's 'Personal Data Processing Policy – Update', and have obtained their explicit consent (if required under the applicable provisions) for the transfer of their personal data to Growthfund, in accordance with the provisions of said Policy.

XII. Selection process

1. The selection of the Advisor shall be decided in accordance with the provisions of Growthfund's Procurement Regulation (particularly, Article 2, paragraph 4). The date and place of unsealing of the Proposals shall be determined by decision of the competent body of Growthfund and as provided for in Growthfund's Procurement Regulation. The evaluation shall take into account the criteria outlined above. Growthfund may request any clarification, supplementation, or adaptation regarding the submitted documents as deemed necessary. The clarification or supplementation of documents and supporting documents pertains only to ambiguities, immaterial irregularities, or obvious formal errors that can be corrected or supplemented.
2. Interested parties which do not meet the minimum participation requirements mentioned above shall not be allowed to participate in the selection process.
3. Growthfund hereby reserves the right to extend or amend the work of the Advisor to include supplementary services (if necessary) that may be required and cannot be identified today, while technically, legally, and financially they will prove integral to the work of the Advisor, in accordance with current law.
4. Growthfund reserves, in full and at its sole discretion, the right to cancel, suspend, amend, or postpone this procedure without notice, as well as to terminate any negotiations or discussions at any stage of the procedure, without being in any way liable towards any participant or other third party.

5. No liability or obligation is or shall be accepted by Growthfund or any of its advisors, representatives, employees, or executives for any error or statement or omission arising from this document. No person acquires a right or claim for compensation or other right or claim under this Request or from their participation in the procedure described herein against Growthfund or its advisors, for any reason or cause.
6. The interested parties shall be deemed to have accepted in full and irrevocably the terms and conditions of this tender.
7. Each Interested Party is liable for the costs and expenses incurred in responding to this Request. Growthfund or its executives, employees or advisors are not liable for any costs or expenses or damages suffered by the Interested Party or other recipients of this Request in connection with this tender process.
8. The Interested Party submitting the Proposal undertakes to perform the contract in full compliance with the terms and conditions of the documents of this Request pertaining to the conclusion of a contract. In particular, it should be noted that Interested Parties must comply with applicable obligations deriving from data protection laws, as well as obligations deriving from environmental, social and labour law, and determined under EU law, national law, collective labour agreements or international environmental conventions, as well as social security and labour conventions listed in Annex X of directive 2014/24.
9. Any dispute arising under this RfP or in connection with it, including any proposals to be submitted and the Agreement to be entered into, shall be subject to the exclusive jurisdiction of the Courts of Athens and the applicable law shall be Greek Law.
10. The Proposals to be submitted are considered a proposal submitted to Growthfund and not one that is accepted. The Proposals containing conditions and/or containing terms and conditions that are inconsistent with this Request shall be disregarded and shall not bind Growthfund in any way, whether during the course of the Tender Process or thereafter.
11. The award of the project is conditional on the submission of the required supporting documentation / evidence and the conclusion of a written contract. If the preferred contractor does not agree with the Company on the terms and conditions of the contract within a reasonable time period, the Company reserves its right at its sole discretion to appoint a contractor and award the project to the next highest rated candidate. In this case, awarding of the project is also subject to the conclusion of a written contract.
12. Interested parties must submit their tender – expression of interest marked **‘Mapping of risk profile, maturity, and development of a roadmap for enhancing cybersecurity maturity for the companies in Growthfund's portfolio’**, exclusively via e-mail sent to: info@growthfund.gr, and that e-mail must be password protected. Each interested party’s tender must include all dossiers requested above, while it may be accompanied by any other evidence proving the experience and know-how of the interested parties in relation to the Services.

More specifically, at least two discrete and locked files must be attached to the e-mail submission of each interested party’s tender, on penalty of disqualification. The financial bid (**DOSSIER D**) must be attached to the e-mail of each tender separately and must be protected by a different password.

In any event, after the expiration of the deadline for submission of tenders, interested parties will be invited, via e-mail, to send the passwords that will open the files attached to their tender e-mail.

13. Interested parties' tenders must be submitted no later than **17:00 (Athens time) on Wednesday 8th February**.

Prior to the conclusion of the contract, Growthfund requests that the eligible tenderer submit all supporting documents proving the fulfilment of the criteria on the non-existence of grounds for exclusion and on eligibility, in accordance with article 60 of the Directive 2014/24.

More specifically, the documentation required is the following:

– An excerpt or excerpts from the criminal record or other equivalent document/certificate issued within the last thirty (30) days by the competent judicial or administrative authorities in the Contractor's country of origin/establishment, verifying that the Contractor has not been convicted by final judgment of any of the following offences, and in particular:

Of participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on combating organised crime (OJ L 300, 11.11.2008, p. 42).

Of corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union (OJ C 195, 25.6.1997, p. 1) and Article 2(1) of the Council Framework Decision 2003/568/JHA of 22 July 2003, on combating corruption in the private sector (OJ L 192, 31.7.2003, p.54), as well as for corruption as defined in national law, i.e. as defined in any of Articles 159A, 236, 237(2) to (4), 237A(2), and 396(2) of the Greek Criminal Code.

Of fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

Of terrorist offences or offences connected to terrorist activities, as defined, respectively, in Articles 1 and 3 of Council Framework Decision 2002/475/JHA of 13 June 2002 to combat terrorism (OJ L 164, 22.6.2002, p. 3), or inciting, aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision.

of money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005, on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309 of 25.11.2005, p. 15).

Of child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council [of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ 2011 L 101, of 15 May 2011, p. 1).

The above documentation is also provided for members of the administrative, management or supervisory body of the Contractor, or for persons who have powers of representation, decision-making or control.

– Certificate(s) that are valid and in effect from the competent authorities of the country of origin/establishment, that the Contractor is not in violation of its obligations regarding payment of taxes (i.e. tax clearance certificate).

– Certificate(s) that are valid and in effect from the competent bodies of the Contractor's country of origin/establishment, that the Contractor is not in violation of its obligations regarding social security contributions (i.e. insurance clearance certificate).

– To prove legal representation in cases where the economic operator is a legal person, has been registered obligatorily or voluntarily — in accordance with applicable law — with the competent authority (e.g. the GEMI Service), and declares to it its representation and any changes, it shall provide a relevant certificate of valid representation, which must have been issued up to thirty (30) business days prior to submission, unless a specific validity time is provided for this certificate. Specifically for domestic economic operators, the following shall be provided:

i) to prove legal representation, in cases where the economic operator is a legal person and is required, according to the applicable legislation, to declare its representation and any changes to the GEMI service, submit a relevant certificate of current representation, which must be issued up to thirty (30) business days prior to its submission.

ii) for certification of good standing and operation, and for changes to the legal entity, a general change certificate is submitted from the GEMI service, provided it has been issued up to three (3) months prior to its submission.

In other cases, interested parties must submit the relevant legal documents of establishment and legal representation (such as company articles of association, change certificates, respective Government Gazettes, decisions for the establishment of administrative bodies, etc. depending on the legal form of the entity), which are accompanied by a solemn declaration from the legal representative that they are still valid at the time of their submission.

If powers have been granted to a person other than those referred to in the above documents for the conduct of this procedure, a transcript shall be produced of the supplementary decision of the legal entity's competent statutory body, by which the relevant powers were granted. In the case of natural persons, if powers have been granted to third parties, the relevant authorisation of the economic operator is provided.

Foreign economic operators shall submit the documentation required by the legislation of the country of establishment, and if such documentation is not provided, a solemn declaration of the legal representative shall be submitted, proving the above with regard to the legal composition, changes and representation of the economic operator.

The lawful composition of the economic operator must be inferred from the above documents, and in particular all relevant amendments to the Articles of Association, the person or persons legally binding the company on the date of the tender (legal representative, signatory right, etc.), any third party to whom a proxy document has been granted, as well as the term of the member and/or members of the administrative body / legal representative.

Annex I – ESPD Document – *The contracting authorities prepare the ESPD using the electronic service (<https://espd.eprocurement.gov.gr/>), which enables economic operators to prepare and manage the ESPD electronically. The file, after being duly completed, is signed electronically in PDF file format and forms part of folder F.*