



CALL FOR EXPRESSION OF INTEREST

**ESTABLISHMENT OF THE REGISTER OF CONTRACTORS SPECIALIZED IN PERSONAL DATA PROTECTION, IN THE EU
GDPR REGULATION AND RELATED LEGISLATION**

Important Note: The present can be used for reference. The Greek version prevails

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1. INTRODUCTION

1.1. Foreword

The Port of Piraeus is Greece's largest port. It has a coastline of over 24 km and the area on land covers over 5 million m². Given its geographical location, the port of Piraeus is a vital hub for transport, trade and supplies, tourism and communications, since it links the Greek islands with the mainland, and is also an international centre for cruise ships and the commercial transport of goods. The Port of Piraeus' location favours it operating as a port for both the wider region of Greece and for the Balkans and Black Sea countries.

1.2. Piraeus Port Authority S.A. (PPA SA)

PPA is the legal entity which is responsible for managing the Port of Piraeus. It was set up as a body governed by public law by Law 4748/1930, which was then recast by Emergency Law 1559/1950 and ratified by Law 1630/1951 and then subsequently amended and supplemented. In 1999 PPA was transformed into a *societe anonyme*.

In April 2016, after an open public tender procedure, the Hellenic Republic Asset Development Fund (HRADF) as the main shareholder in PPA, and COSCO HK Ltd entered into a Share Purchase Agreement for it to acquire the majority stake in PPA's share capital. In August 2016 PPA stopped being a publicly-owned company and since then has been a private company whose purpose is to perform its obligations, conduct its business and exercise its powers in accordance with the amended concession agreement between the Greek State and PPA, which was ratified by Law 4404/2016.

2. DEFINITIONS

To ensure the terms used in this Call for Expression of Interest are understandable, definitions are given below for those terms:

1. **The Call Issuer:** The company with the corporate name Piraeus Port Authority S.A.
2. **Authorised Representative:** The Applicant's legal representative (according to the Applicant's Articles of Association or deed of incorporation) or specially authorised representative (by decision of the Applicant's competent body) as appropriate, with the power to bind the applicant and to sign and submit the Applicant's Application.
3. **Solemn Declaration:** A solemn declaration as per Law 1599/1986 or in the case of a foreign Applicant, a document in similar form, in accordance with the provisions of his/its country of origin, signed by the Authorised Representative. In that case the term "solemn declaration" shall mean that it bears attestation of the authenticity of the signatory's signature.
4. **Call for Expressions of Interest:** This document.
5. **Applicant:** The person who owns a private company which participates, or the legal persons/companies which participate in the process of creating the pool of Approved Suppliers by submitting an application in the

context of this Call for Expressions of Interest.

6. **Application:** The application submitted by Applicants in the context of this Call for Expressions of Interest which must be accompanied by the Expressions of Interest dossier.

7. **Register of Contractors specialized in personal data protection, in the EU GDPR regulation, and related legislation concerning all entities involved in PPA's SA operations or Register:** This term has the meaning given to it in Article 11 of PPA S.A.'s Contracts and Sub concessions Regulations as in force and posted on PPA's website. The Register of Contractors who have been assessed by PPA S.A under the procedures set out in this Call for Expressions of Interest, and declared eligible Suppliers, who offer high quality work and services, who have a good professional reputation, sound accounting system, use cutting-edge technology and have the highest professional integrity.

3. THE CALL ISSUER - SCOPE OF CALL FOR EXPRESSIONS OF INTEREST

3.1. The Call Issuer

Applications should be submitted to the following address:

Piraeus Port Authority S.A.

10 Akti Miaouli St., Procurement Department Secretariat

Office 209, 1st floor

Piraeus Greece GR-18538

3.2. Scope of the Call for Expressions of Interest

The Piraeus Port Authority S.A. is interested, in accordance with the current contract award regulations on procurement and sub-concessions, in the “**establishment of the register of contractors specialized in personal data protection, in the EU GDPR regulation, and related legislation concerning the entities involved in PPA's SA operations**”.

The objective is to ensure the updating of compliance of PPA S.A. with the GDPR and applicable legislation, including but not limited to:

- Conducting Data Protection Impact Assessments (DPIA) as required.
- Reviewing and updating policies and procedures of PPA S.A.
- Conducting CCTV DPIAs.
- Creating records of Processing Activities.
- Developing GDPR training sessions.
- Providing support services to the Data Protection Officer (DPO) of PPA S.A. or to the Members of its Support Committee under specific terms and agreements to be executed.

The deliverables must be provided in both Greek and English languages.

The above-mentioned register will be used in accordance with the current Contract Award Regulations of Piraeus Port Authority S.A.

Applicants meeting the criteria specified in paragraph 4 shall submit an application to be included in the list that will be compiled.

3.3. Eligible participants

Entities eligible to participate in the process must be legal entities (Joint ventures will not be considered.) registered in the General Commercial Registry (GEMI) of Companies or an equivalent professional body, provided that:

- They have offices in Greece.
- They have been engaged in relevant activities in the Greek market since at least 2018.
- They are certified with ISO 27001 where applicable.

Special Notes:

1. This Call for Expressions of Interest does not constitute a procurement process stage on its own.
2. The establishment of the Contractor's Register will be made based on evaluation
3. Applicants meeting the specified criteria will be registered in the approved Register of PPA S.A and henceforth deemed qualified to provide per case the services outlined in Article 3 (§3.2) of this document. PPA S.A reserves the right to exclude from the Approved Suppliers Register any eligible suppliers who do not comply with the criteria of periodic evaluation.
4. This Call for Expressions of Interest has been prepared in accordance with the principles of transparency, equal treatment and non-discrimination.
5. Deliverables will be overseen by the Data Protection Officer (DPO) of PPA S.A. The DPO will provide guidance on impact assessments and monitor their implementation.
6. For each assignment, whether partial or complete, of the project/projects in the tender, a relevant contract will be signed with PPA S.A.

3.4. Deadline for submitting supporting documents for the Call for Expressions of Interest - Provision of clarifications

Interested parties may obtain additional information or clarifications about this procedure / Call for Expressions of Interest by submitting their questions in writing up to two (2) working days before the deadline for submitting Applications. Questions are to be submitted to the PPA Procurement Department by email to: procurement@olp.gr. After that deadline expires, no other communication or request for clarifications about any terms will be accepted. PPA will send written responses to all interested parties.

The deadline for submitting Applications ends on 22/07/2024 at 14:00 pm (Greece time).

4. SUBMISSION OF SUPPORTING DOCUMENTS

PPA S.A is entitled at its unfettered discretion to cancel or repeat this process in any stage as it sees fit.

4.1. Supporting documents

All supporting documents must **only be submitted in electronic format (USB or CD)** within one (1) sealed envelope (the expressions of interest dossier) which must be accompanied by the following Application form.

The application must clearly state:

- The title of the Call for Expressions of Interest **“ESTABLISHMENT OF THE REGISTER OF CONTRACTORS SPECIALIZED IN PERSONAL DATA PROTECTION, IN THE EU GDPR REGULATION, AND RELATED LEGISLATION CONCERNING THE ENTITIES INVOLVED IN PPA’S SA OPERATIONS”**, wording “Application for Expression of Interest”.
- The particulars of the Applicant and the Authorised Representative (name/surname, corporate name and title, a) phone number and b) corporate email address).
- By submitting the application, the applicant declares that the information provided therein is true and accurate.

4.2. Submission of Applications

4.2.1. Applicants are responsible for sending the application and sealed dossier to PPA. The application dossier must be submitted by the Applicant himself or his/its Authorised Representative. Applicants are responsible for - and assume the risk of- any event occurring, including force majeure, which could result in late or improper submission of the application and dossier.

4.2.2. The application and supporting documents dossiers will be received by or sent to the PPA Procurement Department Secretariat by recorded deliver or electronically to the email address: offerssubmission@olp.gr no later than **22/07/2024 at 14:00 pm (Greece time)**.

Applications submitted after that date and time will not be taken into consideration.

4.3 Indicative Grounds on which applications may be rejected:

- If it is found that the information provided by the Applicant is untrue/inaccurate.
- If PPA considers that there are inconsistencies in all supporting documents.
- If the supporting documents referred to in Article 4 (§4.4) hereof are not submitted.
- If, following a request from PPA for confirmation, the Applicant does not confirm any information included in the supporting documents.
- If the terms of the Call for Expressions of Interest are not complied with.

4.4 Content of the expressions of interest dossier:

Interested parties shall submit an expressions of interest dossier which shall contain the following information **in electronic format (CD or USB):**

4.4.1. Legal Documents:

a. Candidates must submit:

Legal Entities

The documents showing their establishment and representation. Specifically, the encoded Articles of Association and, depending on the legal form of each, the authorization documents for their representation, such as the Government Gazette/GEMI or/and details and documents from which any other persons authorized to bind the company and their authorization documents should arise, as well as a solemn declaration by the legal representative regarding the non-newer modification thereof.

b. If the Candidate submits their bid through a representative, they must provide a power of attorney document with the certification of the authentic signature of the authorizing person by the competent authority.

4.4.2. Registration Certificate in the Relevant Chamber of Commerce or Equivalent Legal Entity/Professional Register

The relevant certificate must demonstrate the candidate's registration in the relevant Chamber of Commerce or equivalent legal entity or professional register. For individual businesses, if registration with a Chamber of Commerce is not required on a case-by-case basis, the commencement of professional activity at the Tax Office (DOY) and any changes or/and printing of personalized information from AADE's TAXIS are requested.

4.4.3. Proof of Experience

Regarding technical and professional capacity for the current procedure, participants must have:

1. **A minimum of five (5) years of proven experience** in the GDPR application sector. Services in Public Organizations or similar and/or relevant organizations or companies will be considered. Additionally, their bid must include a list of information on similar GDPR implementation projects. Implementation of projects at ports will be evaluated.
2. **They must have completed at least four (4) GDPR Compliance Projects and corresponding Data Protection Impact Assessments (DPIA)** in large public or private organizations or companies with an annual turnover of EUR 75,000,000 or more, conducting extensive processing of personal data according to GDPR definitions and processing personal data of at least 500 individuals. Equivalent experience in transportation (airports, ports, metro, trains, trams, etc.) or energy sectors will be evaluated.
3. To prove the above, they must submit, under penalty of exclusion:

- i. Complete list of contracts.
- ii. Abstracts from contracts showing the financial object of the project.
- iii. Good Performance Certificates of satisfactory completion of integrated contracts or evidence of ongoing projects issued by the legal representative or a person duly authorized by them. The entity's certificates will concern the satisfactory execution of part or all of the project on a case-by-case basis and its identification.

4. They must have a competent Project Team.

Specifically: Candidates for registration must have a specific "Project Team" with at least five (5) members, all holding Data Protection (DPO) certification and experience in personal data protection issues [General Data Protection Regulation (EU) 2016/679, Directive 95/46/EC, Law 2472/1997)].

To prove the above, the technical description of the candidate's project team structure must be submitted with the following indicative but not restrictive roles:

A. Project Manager:

Who will have overall responsibility for the Contractor's work, management, progress, and coordination of all project team members, will be responsible for ensuring the quality of the work, as well as compliance with all completeness specifications set by OLPA S.A. Also, they will take over the functional representation of the Contractor for the specific project or projects, against the Monitoring Authority of the Contract "Data Protection Officer of OLPA S.A." and its support team, as well as the Project Acceptance Committee.

B. Legal Advisor:

The Legal Advisor must have certification for Data Protection Officers (DPO Executives) and proven knowledge of GDPR legislation.

C. Information Systems Security and Cybersecurity Manager:

Must have experience in information system security issues, especially data circulating in these systems, and have developed knowledge in the Cybersecurity environment.

D. Quality Control Manager:

The Quality Control Manager who must hold a degree and postgraduate degree. They must have accredited certification according to ISO/IEC 17024 requirements.

Project team members may cover more than one role. For this reason, the Contractor must, when requested, have the ability to submit detailed CVs of the executives who will constitute their project team and the

corresponding documentation proving their scientific knowledge, experience, and training specifically in the following cognitive subjects:

- Information Security
- Legal
- Technological

The project teams will refer to the PPA S.A. DPO and PPA's personnel as indicated by the PPA DPO, assist and support their project, and commit to providing their services in good faith and professional ethics, avoiding competitive actions against the PPA S.A. Data Protection Officer.

5. GDPR Training and Awareness:

For the GDPR training and awareness sector, the candidate must describe the academic background of the instructors as well as their previous proven experience in conducting GDPR-related seminars.

6. CCTV:

For the CCTV control sector and related operations, the candidate must describe proven experience in similar projects.

Note: Candidates will be excluded from lending experience, as they must possess their own expertise (know-how).

4.4.4. Evidence of Reliability that Candidates Must Provide

- **Unified Certificate of Judicial Solvency.**
- **Social Security Certificate** issued by the competent authority, confirming that as of the date of expression of interest, the Candidate is compliant with social security contribution obligations (main and supplementary).
- **Tax Clearance Certificate** issued by the competent authority, confirming that as of the date of expression of interest, the Candidate is compliant with tax obligations.

Applicants must submit at least ISO 27001:2013 and ISO 9001:2015 quality management certificates in effect. In case of any changes, renewals, or withdrawals of the certificates submitted by the interested parties, they are required to promptly inform PPA S.A. throughout their registration in the PPA Register, and in the event of any changes or renewals, submit the new certificate. The same applies if they obtain a new certificate after their registration in the PPA Register.

4.4.5. Solemn Declaration of Law 1599/86 by the Authorized Representative:

With which the Candidate certifies that there are no impediments to participation as specified in this Invitation, namely:

1. No final conviction has been issued against him for any of the following reasons:
 - a) Participation in a criminal organization as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organized crime, as in force;
 - b) Bribery as defined in Article 3 of the Convention against bribery involving officials of the European Communities or officials of EU Member States, and Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the national law of the contracting authority.
 - c) fraud within the meaning of Article 1 of the Convention to protect the financial interests of the European Communities, as in force;
 - d) Terrorist offences or offences linked to terrorist activities, as defined respectively in Articles 1 and 3 of Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism, or inciting, aiding or abetting, and attempting a crime, as defined in Article 4 thereof, as in force;
 - e) Money laundering or financing terrorism as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council.
 - f) Child labor and other forms of human trafficking as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council. This exclusion criterion also applies when the person convicted by final judgment is a member of the administrative, management, or supervisory body of the candidate or has the power to represent, decide, or control it, and
 - g) Money laundering as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering.
 - h) Child labor and other forms of human trafficking as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council. This exclusion criterion also applies when the person convicted by final judgment is a member of the administrative, management, or supervisory body of the candidate or has the power to represent, decide, or control it.
2. That he is not bankrupt, in liquidation, ceased operations, under compulsory administration or in a similar situation provided for by the country of his establishment, nor has he been subject to a declaration procedure in any of these situations,
3. That he has not been convicted of an offense related to his professional activity,
4. That he has not been sentenced to exclusion from public tenders for reasons related to the execution of similar services as described herein.
5. That there is no reason to believe that these impediments will occur during the validity of the tender and any extensions thereof and that he undertakes the obligation for timely and proper submission of the justifications of par. 8.2 of this Article, if selected as a temporary subcontractor

The solemn declaration is submitted for Legal Entities: a) by general partners and administrators of General Partnerships (O.E.) and Limited Partnerships (E.E.), b) by administrators of Limited Liability Companies (E.P.E.) and Private Capital Companies (I.K.E.), or c) by the President and Managing Director of Public Limited Companies (A.E.), depending on the legal form of the participating Legal Entity.

In the case of an Association, the above Solemn Declaration must be submitted for each of its members.

5. EVALUATION OF APPLICANTS

5.1. The dossier and application expressing interest in inclusion in the Register of Approved Suppliers shall be submitted in one stage, as outlined in Article 4 of this document.

Applicants will be included in the lists of Approved Suppliers per category where they meet the criteria by submitting all the supporting documents of the article as mentioned in Article 4 (§4.4) and following a decision taken by Management.

5.2. SUPPLIER EVALUATION PROCEDURE AFTER INCLUSION IN THE REGISTER:

After inclusion in the register, persons entered in the register shall be periodically evaluated as follows

6. LEGAL FRAMEWORK

The manner in which the process is conducted, how contracts are implemented overall and the obligations of prospective contractors are governed by Law 4404/2016 (Government Gazette 126/A) ratifying the amendment and codification into a single text dated 24 June 2016 of the Concession Agreement of 13 February 2002 between the Greek State and Piraeus Port Authority S.A., and other provisions.

This procedure is conducted in accordance with:

- i. Law 4404/2016 (Government Gazette 126/A/8.7.2016) ratifying the amendment and codification into a single text dated 24 June 2016 of the Concession Agreement of 13 February 2002 between the Greek State and Piraeus Port Authority S.A., and other provisions, and Law 4838/2021 (Government Gazette 180/A/1.10.2021);
- ii. The PPA S.A. Contracts and Subconcessions Regulations, which is posted on PPA's website;
- iii. The general legislative framework (national and EU) on the processing of personal data and in particular the new EU Regulation on the protection of personal data (GDPR / Regulation (EU) 2016/679) and Law 4624/2019.
- iv. The terms of this Call for Expressions of Interest.

PPA S.A. implements a certified Integrated Quality, Environmental & Energy Management System in accordance with the requirements of the following standards: ISO 9001:2015 on quality management, ISO 14001:2015 on environmental management and ISO 50001:2018 on energy management.