



[04/09/2026]

[CT2274/2026 - Services - Tender for the Implementation of a Fully Compliant European Digital Identity Wallet (EUDIW), Supporting Trust Ecosystem and use cases for the Malta Digital Innovation Authority (MDIA)]

Clarification Note # [19]

To all prospective bidders

Reference is made to the above-captioned tender for which the deadline for submission of offers is **[15/10/2026]** at **[09:30am]**.

Please find a set of clarifications which are construed to form an integral part of the tender document.

Please find attached a document with the questions from ***** regarding the selection criteria, specifically regarding the

Scope of ISO 27001 requirement
Requirements of the Legal Specialist
Requirements of the Trust Service Specialist

Question No. [01]: *Questions regarding tender for the implementation of a fully compliant EUDIW*

A. Questions regarding the scope of ISO 27001 requirement

Section 1, Clause 5(B)(d) requires ISO/IEC 27001 certification of the economic operator "as well as any subcontractors involved in the processing of data or delivery of security-relevant components". Section 2, Article 7.3 obliges "any economic operator whose contribution has a direct impact on the security posture of any technical solution developed, deployed and operated" to maintain that certification for the contract duration. References below to "ISO/IEC 27001 (or equivalent)" reflect the acceptability of equivalent certification.

Both provisions are, on their face, activity-scoped: the qualifying words attach the obligation to the nature of the work performed rather than to participation in the delivery structure as such. We proceed on that basis and ask the Contracting Authority to confirm the following points.

1. Activity scope. We understand the requirement to be triggered by the activities actually performed, such that an entity which performs no processing of Contracting Authority, personal or production data, delivers no security-relevant component, and has no access to production environments, cryptographic key material, or source-code repositories for security-relevant components, is not required to hold ISO/IEC 27001 (or equivalent) certification. Could the Contracting Authority please confirm this reading? If it cannot, please state the alternative basis on which the requirement is triggered.

2. Roles performed under a certified ISMS. We understand the requirement to be satisfied where an in-scope role or workstream is performed under the Information Security Management System, security policies and contractual responsibility of a party whose ISO/IEC 27001 (or equivalent) certification covers that scope. Could the Contracting Authority please confirm this? If it cannot, please confirm that the certificate must in every case be held by the legal entity employing the individuals concerned.

3. Secondment of personnel to in-scope Key Expert roles. Section 3, Clause 6.1.1 defines the Key Experts by reference to the qualifications and experience of the individuals proposed, and imposes no requirement as to the legal entity by which those individuals are employed. Clause 5(B)(d), by contrast, addresses entities (the economic operator and its subcontractors).

We therefore understand that, where an individual performing an in-scope Key Expert role is seconded to and works under the direction, supervision and information security governance of a consortium member whose ISO/IEC 27001 (or equivalent) certification covers the relevant scope, the requirement is satisfied in respect of that role. Such an individual is not a subcontractor within the meaning of Clause 5(B)(d), and falls within the certified party's ISMS, including the people controls set out in Annex A of ISO/IEC 27001:2022 (6.1 to 6.8, covering screening, terms and conditions, awareness and training, disciplinary process, confidentiality undertakings, remote working and event reporting), or the corresponding controls of an equivalent scheme, together with its access control, asset management, supplier and incident management controls. The certified party remains contractually accountable to the Contracting Authority for the performance and security posture of that role for the duration of the contract.

We consider this arrangement sufficient to meet Clause 5(B)(d) and Article 7.3 in respect of the seconded role. Could the Contracting Authority please confirm this? If it cannot, please state whether the objection is to secondment as such, or to particular Key Expert roles, and identify those roles.

4. Key Experts outside the criterion. Applying the above to Section 3, Clause 6.1.1, we understand that Key Expert 1 (Project Manager) and Key Expert 6 (Legal Specialist) fall outside the criterion, on the basis that neither role processes production or personal data, delivers a

security-relevant component, or has a direct impact on the security posture of the deployed Solution — the Legal Specialist's role in overseeing the certification process being support to the certification of components delivered by others rather than delivery of a security-relevant component. Could the Contracting Authority please confirm this?

5. Advisory and design activities. We further understand that activities producing no deployed artefact and involving no access to production data or environments fall outside the criterion, including the 7,000 consultancy person hours under Clause 4.2.1.2, the 200 person days of certification support under Clause 4.2.3.11.1, and the branding and visual design deliverables under Clause 4.2.1.3.4 and Milestone 1. Could the Contracting Authority please confirm this? If the Contracting Authority is unable to confirm any of the above, we would be grateful if it could specify (i) which of Key Experts 1 to 7 it considers to fall within the criterion, and (ii) which components it regards as "security-relevant components" for the purposes of Clause 5(B)(d), and whether that term extends beyond the Wallet Provider, PID Provider, RWSCD/HSM environment, PKI and Signing Certificate Provider, WRPAC Provider, Relying Party Registrar, RP Verification Component, SCA and Wallet Instances identified in Section 3, Clauses 4.2.2 and 4.2.3.10.

Answer No. [01]:

1) The ISO/IEC 27001 requirement applies specifically to economic operators and subcontractors involved in “processing of data or delivery of security-relevant components”.

2) Roles performed under a certified ISMS are subject to clauses dictating evidence to be provided as part of the submission bid, specifically Section 1, Clause 5(B)(d). During the execution of the contract the Awarded Bidder may be expected to attain and maintain ISO/IEC 27001 as per Section 2, Article 7.3 “Any economic operator whose contribution has a direct impact on the security posture of any technical solution developed, deployed and operated shall maintain a valid certification against ISO/IEC 27001 throughout the contract duration, evidence of which shall be provided to the Contracting Authority when requested.” Additionally, attaining and maintaining ISO/IEC 27001 certification may be influenced by National and EU legislation as per Section 3, Clause 4.3.4.

3) This is confirmed whenever the ISMS defines how the Key Expert operates for duration of the contract.

4) Refer to (1) and (3) above.

5) Prior to contract award, it is the responsibility of Bidder to identify which economic operators and subcontractors involved in “processing of data or delivery of security-relevant components” and for these provide evidence of ISO/IEC 27001 certification. During the contract period, the awarded bidder is expected to attain and maintain ISO/IEC 27001 certification as per Section 2, Article 7.3. The Key Experts will adhere to the ISMS policies and procedures related to the

ISO/IEC 27001 certification attained and maintained by the awarded bidder. The bid will be assessed against the relevant BPQR criteria.

Question No. [02]: *Questions regarding tender for the implementation of a fully compliant EUDIW*

B. Questions regarding the requirements of the Legal Specialist

BPQR Award Criterion 1.7(f) provides, as an add-on, that Key Expert 6 (Legal Specialist) shall "have been involved in technology and trust services for at least two related project worth over €1 million, indicating the roles performed on this project [1 mark add-on]".

We kindly request clarification as to the basis on which the €1 million threshold is to be assessed. The wording appears capable of more than one reading: the numeral "two" is followed by the singular "project", and the closing words refer to "this project", again in the singular.

Our understanding is that the threshold applies to the two projects taken together, that is, that the Legal Specialist must have been involved in at least two related projects in technology and trust services having a combined value of over €1 million, with the role performed by the expert indicated for each project.

We further note that the mandatory requirement for this role under Section 3, Clause 6.1.1(d) is already involvement in "at least one related project worth over €1 million", such that the add-on at Criterion 1.7(f) is understood to reward breadth of involvement, a second qualifying engagement, rather than a doubling of the value threshold.

The Contracting Authority is kindly requested to:

- 1. Confirm whether the above understanding is correct, namely that the €1 million value threshold is assessed on a combined basis across the two projects; and, should this not be confirmed, to state the basis on which the threshold is to be assessed (i.e. whether each of the two projects must individually exceed €1 million);*
- 2. Confirm whether the project relied upon to satisfy the mandatory requirement under Section 3, Clause 6.1.1(d) may be counted as one of the two projects under Criterion 1.7(f);*
- 3. Confirm whether any reference period applies to these projects, given that no time limitation is specified for this criterion, whereas Section 1, Clause 5(B)(c)(i) is expressly limited to the financial years 2023, 2024 and 2025.*

Answer No. [02]:

1. As per Section 6.1.1 'Key Expert 6: One (1) Legal Specialist', the expert must at least "have been involved in technology and trust services for at least one related project worth over €1 million". The BPQR Add-on criteria adds to the mandatory requirements and refers to the key expert having been involved in at least two such projects worth over €1 million each.

2. The project from mandatory requirement may be counted as one of the two projects under BPQR Criterion 1.7 (f).

3. No limitation is set as to the time when the listed project was done.

Question No. [03]: *Questions regarding tender for the implementation of a fully compliant EUDIW*

C. Questions regarding the requirements of the Trust Service Specialist

The BPQR Award Criterion 1.7(e) add-on criterion requires “an academic qualification equivalent to MQF level 7 (or equivalent) or higher in a field related to Information Communication Technology, Engineering or a comparable subject field”. Could the Contracting Authority please clarify how “a comparable subject field” will be assessed?

In particular, please confirm whether an MQF Level 7 (or equivalent) qualification whose formal degree title is not expressly ICT or Engineering may satisfy this add-on criterion where its relevance and comparability are demonstrated through the substantive academic content of the qualification and the candidate’s wider academic and research record in the relevant field, including, where applicable, a research appointment at a technical university and numerous relevant peer-reviewed scientific publications in ICT, digital trust, secure information exchange and related fields.

For the avoidance of doubt, please confirm whether the assessment of “a comparable subject field” may take into account such substantive academic and research evidence and is not determined solely by the formal title of the MQF 7 (or equivalent) degree.

Please also confirm what documentary evidence the Contracting Authority considers sufficient to demonstrate such comparability for the purpose of awarding the 1 add-on mark.

Answer No. [03]: For the purposes of BPQR Criterion 1.7(e), the assessment of whether a qualification is in a "comparable subject field" shall be based on the academic qualification itself and its relevance to the role of Trust Service Specialist. Bidders shall provide sufficient documentary evidence to enable the Evaluation Committee to assess comparability, including, where applicable, transcripts, course descriptions, qualification recognition or equivalence documentation, and any other supporting evidence deemed relevant. The key expert’s research record is not to substitute the attainment of an MQF level 7 academic qualification. The Evaluation Committee reserves the right to determine whether the qualification satisfies the stated requirement.

Question No. [04]: *Procurement budget...*

Does the procurement budget cover the two extension periods?

Answer No. [04]: Section 2, Article 18.2 specifies that “the duration of the contract shall be ninety (90) months from commencement” and that “the period of execution of the contract shall be of ninety (90) months, after which the Contracting Authority with agreement of the Contractor reserves the right to extend the contract by an additional two (2) periods of twenty-four (24) months from the date of contract”.

Accordingly, the Estimated Procurement Value specified in Section 1, Article 1.3 as “€15,659,714.03 excluding VAT, relates to the initial contract duration of ninety (90) months. Any extensions referred to in Section 2, Article 20 are subject to agreement between the Contracting Authority and the Contractor.

Question No. [05]: *Statement of Availability Form...*

Should there be a 'Statement of Availability Form'?

Answer No. [05]: The Statement of Availability Form is part of the Key Experts Form, to be submitted accordingly.

Question No. [06]: *Technical Offer answers...*

There does not appear to be an answer sheet for the Technical Offer questions and the questions sheet itself is locked. Should we create a free-form template ourselves?

Answer No. [06]: The “Technical Offer and Organisation & Methodology.docx” uploaded in the documentation section of the tender including the Technical Questionnaire forms part of the original CFT documentation and is to be completed and submitted by the bidder. The bidder is required to indicate the applicable response by placing a tick next to the relevant option for each statement. No amendments or alterations to the document are permitted after submission (Note 3).

Question No. [07]: *Transactional volumes...*

Please can you share some indication of transactional volumes you expect over the duration of the contract. For example: re-assertions, authentications, logins etc.

Answer No. [07]: Appendix III ‘Volumetrics’ contains “the projected number of PID authentications and electronic signatures, starting from the launch to the public of the EUDIW Solution (Version 2) and the for the subsequent 5 years”. As per the same Appendix:

- “The Solution is projected to experience steady growth in active Wallet Units over the contract period”
- “It is anticipated that the number of active users, PID authentications, and electronic signatures will stabilise from Year 5 onwards”
- “These volumetric projections are intended to inform capacity planning and ensure the solution’s scalability and performance throughout its lifecycle.”

Indications for expected transactional volumes expected over the duration of the contract shall be proportionate to the volumetrics in Appendix III.

All other tender documents, conditions and requirements, which are not superseded by this clarification remain in place.

Department of Contracts