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**Joint Managing Authority:
Romanian Ministry of Regional Development and Housing**

**Joint Operational Programme
Romania-Ukraine-Republic of Moldova 2007-2013**

**Guidelines
for grant applicants
Priority 3 “People to people co-operation”**

Reference: 1st call for proposals, July, 2009
Deadline for submission of proposals: 28 September, 2009

Budget: 5 MEUR

NOTICE

This Call for Proposals is launched under suspension clause linked to the signing of the Financing Agreement between European Commission and Ukraine.

In the context of this Call for Proposals, the actual award and signature of contracts for projects involving Ukrainian partners is therefore conditional to the conclusion of the above mentioned Financing Agreement.

This is an open Call for Proposals, where all documents are submitted at one stage (Concept Note and full proposal). However, in the first instance, only the Concept Notes will be evaluated. Thereafter, for the applicants whose Concept Notes have been pre-selected, evaluation of the full proposal will be carried out. Further to the evaluation of the full proposals, an eligibility check will be performed for those, which are provisionally selected. This check will be undertaken on the basis of the supporting documents requested by the Joint Managing Authority and the signed "Declaration by the Applicant" sent together with the application.

How to use these Guidelines

These Guidelines are aimed at providing further information on provisions laid down in the Joint Operational Programme (JOP) Romania-Ukraine-Republic of Moldova 2007 – 2013.

They give guidance to potential project applicants while preparing their applications and giving information about the selection and contracting process.

The European Commission on 29.07.2008 has approved the Joint Operational Programme Romania-Ukraine-Republic of Moldova 2007 – 2013 and the guidelines for applicants integrate the provisions of the European Neighbourhood and Partnership Instrument (ENPI).

There are two different guidelines focussing on the three programme priorities:

- The Guidelines for Priorities 1 and 2 ("Towards a more competitive border economy" and Environmental challenges and emergency preparedness");
- The Guidelines for Priority 3 ("People-to-People Co-operation").

Both guidelines were approved by the Joint Monitoring Committee on 26th of June, 2009.

This document refers only to priority 3. Chapter 1 gives an overview about the general programme objectives, the legal background, the objective and the measures in the priority as well as its financial allocation. Chapter 2 gives the detailed rules about the eligibility criteria, the application form as well as the application and evaluation procedures. All the necessary annexes are listed under Chapter 3. A list with the most important terms and definitions is attached here also.

The Joint Operational Programme Romania-Ukraine-Republic of Moldova 2007 – 2013 as well as all other relevant documents related to it can be downloaded from the programme website www.ro-ua-md.net

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1. JOINT OPERATIONAL PROGRAMME ROMANIA-UKRAINE-REPUBLIC OF MOLDOVA 2007-2013

1.1 BACKGROUND

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The Joint Operational Programme Romania-Ukraine-Republic of Moldova 2007-2013 provides the framework for the implementation of cross border activities in the context of the European Neighbourhood Partnership Instrument (ENPI) with the aim to prevent the emergence of new dividing lines between EU and its neighbours and to offer the partner countries the opportunity to participate in various EU activities, through greater political, security, economic and cultural co-operation. Partners agreed that co-operation would be build on mutual commitment to common values within the field of law, good governance, the respect for human rights, the promotion of good neighbourly relations, and the principles of market economy and sustainable development.

According to the programme, the following areas constitute the **core area** of the programme: the Romanian counties of Suceava, Botosani, Iasi, Vaslui, Galati, and Tulcea, the Ukrainian oblasts of Odessa, and Chernivetska and the whole territory of Republic of Moldova. In addition, certain **adjacent regions** that may positively influence the co-operation in the border area were included in the programme area: the Romanian county of Braila, the Ukrainian oblasts of Ivano-Frankivska, Vinniytska, plus ten districts of Khmelnytska and twelve districts of Ternopilska.

The **aim of the programme** is to improve the economic, social and environmental situation in the programme area, in the context of safe and secure borders, through increased contact of partners on both sides of the border.

This aim will be pursued in a spirit of partnership and co-operation, which encourages cross-border contact and activity and makes material improvement to the infrastructure.

In order to meet these objectives, the programme focuses on a limited number of issues, which may be successfully addressed at the cross-border level and policy areas where co-operation at cross-border level is most likely to achieve results. The major role of the programme is to develop a higher degree of co-operation across the programme area and so, most measures will go after development of networks and other forms of partnership and collaboration. In the light of the above objectives, the following priorities have been agreed to constitute the backbone of the Programme 2007-2013:

Joint Operational Programme Romania-Ukraine-Republic of Moldova 2007-2013 - Priorities	
Priority 1	<i>Towards a more competitive border economy</i>
Priority 2	<i>Environmental challenges and emergency preparedness</i>
Priority 3	<i>People to People Co-operation</i>

Each project that applies for funding has to fit to the objectives of one of these priorities. More information on the contents of the three priorities is described in the programme document¹.

¹ Joint Operational Programme Romania-Ukraine-Republic of Moldova, chapter 6, p.56 to 76.

The Joint Operational Programme Romania-Ukraine-Republic of Moldova 2007-2013 is launched in parallel with other cross-border cooperation programmes, also relevant for the eligible programme area (e.g. The Black Sea Basin Joint Operational Programme 2007-2013 and Hungary-Slovakia-Romania-Ukraine ENPI CBC Programme).

In order to avoid double financing and overlap between projects the applicants are requested to stipulate clearly in their proposals, whether they are applying to other funds for support to all or some of the activities proposed. This should not have the effect of discriminate against their proposals at the evaluation stage, but it will be taken into account for the final selection of projects. It will raise awareness of the Joint Monitoring Committee and Joint Managing Authority that will ensure appropriate consultation with other donors and programmes before the grant contract is signed.

Management structures

- *Joint Monitoring Committee (JMC)*: supervising and monitoring the Programme implementation, responsible for the final decision on project selection. The JMC will delegate the implementation of its decisions to the JMA. The JMA will sign the grant contracts with the beneficiaries and is therefore the "Contracting Authority" in the meaning used by the Practical Guide.
- *Joint Managing Authority (JMA)*: bearing overall responsibility for the management and implementation of the Programme towards the European Commission;
- *Joint Technical Secretariat (JTS)*: the joint operational body, assisting the Joint Managing Authority and the Joint Monitoring Committee in carrying out their respective duties;
- *Branch Offices*: In order to ensure proper publicity regarding the Programme and information of the potential applicants and beneficiaries located in all participating countries regarding the technical conditions for financing, the JTS will establish three branch offices, in Cernivtsky, Odessa and Chisinau.

Legal Framework

The following regulations and rules apply to all project partners from the three countries when they use the ENPI funding:

- The Regulation (EC) No. **1638/2006** of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument. This "ENPI regulation" gives general rules and requirements for ENPI financed programmes,
- The Commission Regulation (EC) No. **951/2007** of 9 August 2007 laying down implementing rules for cross-border co-operation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument. This "ENPI implementing rules regulation" gives more detailed instructions for implementation of ENPI cross-border co-operation programmes,
- The Commission Decision No. **3806/2008** of 29 of July 2008 adopting the "Joint Operational Programme Romania-Ukraine-Republic of Moldova 2007-2013".
- Practical Guide to Contract procedures for EC external actions 2008 (PRAG)².

² http://ec.europa.eu/europeaid/work/procedures/implementation/grants/index_en.htm

In carrying out their activities related to procurement of works, supply or service contracts, all Beneficiaries and project partners will have to follow the rules for selection and award of contracts referred to in the Annex IV “Procurement by grant beneficiaries in the context of European community external actions” of the Model of Grant contract, provided by PRAG. According to art.8.2 of the Annex IV, where a Beneficiary or partner established in a Member State is a contracting authority and/or a contracting entity as defined by the Community Directives applicable to procurement procedures³, it must apply the relevant provisions of those texts, as transposed in its national legislation⁴.

- Council Regulation (EC, Euratom) No.1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities with its subsequent amendments⁵;
- Commission Regulation (EC, Euratom) No.2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No.1605/2002 on the Financial Regulation applicable to the general budget of the European communities⁶;

1.2 OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES

The aim of the Programme is to improve the economic, social and environmental situation in the Programme area, in the context of safe and secure borders, through increased contact of partners on both sides of the border⁷.

In order to achieve this aim, three priorities have been developed within the operational programme⁸. As already mentioned before, these guidelines only refer to priority 3; separate Guidelines will give further information on implementing issues in the framework of priority 1 and 2.

The aim of the Priority 3 “People to People Co-operation” is to promote greater interaction between people and communities living in the border areas.

The most urgent needs of the area identified by the analysis and addressed by this Priority are:

- The need for harmonized development across borders is a significant aspect of regional development in the Programme area as it is important for people to establish closer relations in order to be able to share solutions to common or similar problems.

³ Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:134:0114:0240:EN:PDF>).

⁴ For Romania: Governmental Emergency Ordinance no 34/2006 regarding the award of the public procurement contracts, public works concession contracts and services concession contracts, with further amendments

⁵ http://ec.europa.eu/budget/library/documents/implement_control/fin_rules/syn_pub_rf_modex_en.pdf

⁶ http://ec.europa.eu/budget/library/documents/implement_control/fin_rules/syn_pub_rf_modex_en.pdf

⁷ For more details please consult the Joint Operational Programme Romania-Ukraine-Republic of Moldova: chapter 5, p.50-55, http://www.ro-ua-md.net/index.php?page=DOCUMENTS_OFFICIAL

⁸ For more details please consult the Joint Operational Programme Romania-Ukraine-Republic of Moldova: chapter 6, p.56-76, http://www.ro-ua-md.net/index.php?page=DOCUMENTS_OFFICIAL

- While the border area is a sparsely populated rural area, one of the signs of economic progress would be an increase in the numbers of people and goods crossing the border legitimately. Encouraging contact with groups on either side of the border can assist in raising flows of people across the border.
- The Programme area shares many common values, easy communication because of common languages, common traditions and cultural heritage. These strengths should be utilized and close relations reinforced.
- Experience shows that the external EU border is often seen as a barrier to co-operation at the local level. Actions and projects that allow people to get together on a regular basis to share experiences and ideas are needed in order to support the present co-operation at local level and support any new cross-border initiatives.
- The border area is a transit route for those involved in organized crime and people trafficking.
- It is necessary to stimulate activities encouraging young people to stay in the border area

Measures underpinning this priority will be:

3.1 Local and regional governance, support to civil society and local communities.

3.2 Educational, social and cultural exchanges.

The **global objective** of this Call for Proposals is: to create the premises for an enhanced cooperation between local communities in the border areas by selecting good applications, compliant with the objectives of the Programme⁹.

The **specific objective** of this Call for Proposals is: encourage cross-border contact and activity through development of networks and other forms of partnership and collaboration in the eligible area of the Programme.

1.3 FINANCIAL ALLOCATION PROVIDED BY THE JOINT MANAGING AUTHORITY

The overall indicative amount made available under this call for proposals is **5 million EUR**.

The Joint Managing Authority with the prior agreement of the Joint Monitoring Committee reserves the right not to award all available funds.

Out of this amount, a maximum of 15% (**750.000 EUR**) may be used for financing expenditures incurred by partners located in adjacent regions. In the case where the minimum percentage foreseen for financing actions that do not involve adjacent regions cannot be used due to insufficient quality or number of the proposals received, the Joint Managing Authority with the prior agreement of the Joint Monitoring Committee reserves the right to reallocate the remaining funds to finance projects involving activities in adjacent regions over the maximum amount mentioned above.

Size of grants (= ENPI funding)

Any grant awarded under this call for proposals must fall between the following minimum and maximum sum of amounts:

⁹ For more details please consult the Joint Operational Programme Romania-Ukraine-Republic of Moldova: chapter 5, p.50-55, http://www.ro-ua-md.net/index.php?page=DOCUMENTS_OFFICIAL

- minimum amount: 30 000 EUR
- maximum amount: 150 000 EUR

Indicative allocation of funds by priority (in Euro):

Priority	ENPI Support
Priority 3 People to People Co-operation	5,000,000

Co-financing rule

In addition, no grant may exceed 90 % of the total eligible costs of the action. The balance must be financed from the applicant's and partners' own resources, or from sources other than the European Community budget.

For Romanian partners / applicant (lead partner), the Governmental Ordinance no.46/2007 regarding the allocation of external grants and national public contribution in the budget of the institutions involved in the management and use of these funds, for the Objective "European territorial cooperation", with subsequent amendments shall be applied.

2. RULES FOR THIS CALL FOR PROPOSALS

These guidelines set out the rules for the submission, selection and implementation of actions financed under this Call, in conformity with the provisions of the Practical Guide to contract procedures for EC external actions, which is applicable to the present call (available on the Internet at this address: http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm).

2.1 ELIGIBILITY CRITERIA

There are three sets of eligibility criteria, relating to:

- applicant(s)¹⁰ which may request a grant (2.1.1), and their partners (2.1.2);
- actions for which a grant may be awarded (2.1.3);
- types of cost which may be taken into account in setting the amount of the grant (2.1.4).

2.1.1 Eligibility of applicants: who may apply?

(1) In order to be eligible for a grant, applicants **must**:

- be legal persons **and**
- be non profit making **and**
- be organisations such as: non-governmental organisations, public sector operators, local/regional authorities, **and**
- be nationals¹¹ of Romania, Ukraine or Republic of Moldova **and**
- be directly responsible for the preparation and management of the action with their partners, not acting as an intermediary **and**
- have stable and sufficient sources of finance to ensure the continuity of their organisation throughout the project and to play a part in financing it and
- be registered¹² and located in the the programme area¹³ **or**
 - be organisations whose headquarters are not situated in the programe area¹⁴, but are located in Romania, Ukraine or Republic of Moldova and have local/regional branch offices registered as

¹⁰ According to COMMISSION REGULATION (EC) No 951/2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighborhood and Partnership Instrument, 'beneficiary' means a body which signs a grant contract with the Joint Managing Authority and which assumes full legal and financial responsibility for project implementation vis-à-vis that authority; it receives the financial contribution from the Joint Managing Authority and ensures it is managed and, where appropriate, distributed in accordance with the agreements drawn up with its partners; it alone is responsible to the Joint Managing Authority and it is directly accountable to the authority for the operational and financial progress of activities; so, **until the grant contract is signed, any body that submits a project proposal is called 'Applicant'**.

¹¹ Such nationality being determined on the basis of the organisation's statutes which should demonstrate that it has been established by an instrument governed by the national law of the country concerned. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a "Memorandum of Understanding" has been concluded.

¹² According to the national legislation of the Republic of Moldova the potential applicants from the Transnistrian area are eligible under the programme only if they are registered as legal entities in the Republic of Moldova.

legal entity in the eligible area, the local/regional branch shall apply for assistance, and in case of contracting it shall be the project beneficiary;

(2) Potential applicants and their partners may not participate in calls for proposals or be awarded grants if they are in any of the situations¹⁵:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*; (i.e. against which no appeal is possible);
- c) they have been guilty of grave professional misconduct proven by any means which the Joint Managing Authority can justify;
- d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Joint Managing Authority or those of the country where the contract is to be performed;
- e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation (BUDGET)/ Article 99 of the Financial Regulation (10th EDF).

The cases referred to in point (e) applicable are the following:

- 1) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests drawn up by the Council Act of 26 July 1995;¹⁶
- 2) cases of corruption as referred to 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, drawn up by the Council Act of 26 May 1997;¹⁷
- 3) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council;¹⁸
- 4) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC.¹⁹

¹³ Programme area consists of core area and adjoining regions, as described in 2.1.3. *Eligible actions: actions for which an application may be made*

¹⁴ Programme area consists of core area and adjoining regions, as described in 2.1.3. *Eligible actions: actions for which an application may be made*

¹⁵ Which are listed in Section 2.3.3 of the Practical Guide to contract procedures for EC external actions (available from the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm);

¹⁶ OJ C 316, 27.11.1995, p.48.

¹⁷ OJ C 195, 25.06.1997, p. 1.

¹⁸ OJ L 351, 29.12.1998, p. 1. Joint Action of 21 December 1998 making it a criminal offence to participate in a criminal organisation in the Member States of the European Union.

¹⁹ OJ L 166, 28.06.1991, p. 77. Directive of 10 June 1991, as amended by Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 (OJ L 344, 28.12.2001, p.76).

In part A section III of the grant application form (“Declaration by the applicant”), applicants must declare that they do not fall into any of these situations.

(3) The indicative list of types of eligible applicants or their partners by priorities and measures:

For Priority 3 People to People Co-operation

Measure 3.1 Local and regional governance, support to civil society and local communities.

- local and regional authorities,
- NGOs,
- legally constituted voluntary bodies drawn from civil society and local communities,
- public medical institutions,
- non-governmental organisations and associations,
- educational institutions
- formally constituted women’s groups.
- cults and religious associations
- other organisations relevant for the type of activities corresponding to this measure.

Measure 3.2 Educational, social and cultural exchanges.

- schools,
- colleges,
- universities,
- other educational institutions,
- legally constituted voluntary groups including disadvantaged groups
- cultural and social organisations;
- non-profit media associations,
- professional organisations,
- regional environment protection institutions
- cults and religious associations
- NGOs.
- other organisations relevant for the type of activities corresponding to this measure.

(4) Types of non-eligible applicants or their partners (examples):

- profit-making organisations
- political parties,
- natural persons.

2.1.2 Partnerships and eligibility of partners

Applicants

The grant applicant signs the grant contract and is the beneficiary (lead partner) of a project²⁰. The applicants must act with partner organisations as specified hereafter.

Partners/ partnership

At least one partner must be involved in the action, together with the Applicant.

Applicants' partners participate in designing and implementing the action, and the costs they incur are eligible in the same way as those incurred by the grant beneficiary. They must therefore satisfy the eligibility criteria as applicable on the grant beneficiary himself.

Please note: Organisation without any partners from the other sides of the border will not be eligible.

The following conditions related to the partnership have to be fulfilled:

Nationality: Actions can be bilateral or trilateral. It is necessary that at least one partner from Romania and one partner from Ukraine or/and Republic of Moldova participate in the project. Actions having only organisations registered in Ukraine and Republic of Moldova shall not be accepted. Actions having organisations only registered in Romania will not be accepted either.

Location: The Applicant organisation and its partner(s) must be registered and located in the programme area (core area and adjoining regions) as defined at point 2.1.3 *Eligible actions: actions for which an application may be made*.

Please note: When partners are located in the Ukrainian adjoining regions, in order to clearly determine the eligibility, please mention in the Application Form the district of the oblasts where your organisation is located (see section 2 of the Application Form).

Please note: Only those organisations located within the core area of the programme may act as lead partners of any type of projects, while the Organisations located within the adjoining regions may only participate as partners in soft projects²¹. Only up to 20% of a project budget may be spent for activities carried out by partners located in the adjoining regions.

According to Article 40 of the Commission Regulation (EC) No. 951/2007, **in exceptional cases where the project's objectives cannot be achieved** without the participation of a partner established within the participant countries but outside the programme area, the participation of this organisation can be accepted. The participation of organisations located outside of the programme area must be duly justified in the application.

Partnership Statement

In order to ensure that the project runs smoothly, all project partners have to acknowledge their responsibilities within the project by signing a partnership statement. The "Partnership Statement" is part of the Application Form. Any application not containing the partnership statements signed, stamped and dated by the lead partner (Applicant) and each partner will be rejected.

²⁰ According to art.2. Point 2 of the COMMISSION REGULATION (EC) **No 951/2007** laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighborhood and Partnership Instrument

²¹ See section 3.1 List of useful terms

Partnership Agreement

During the contracting phase only, the Applicant will be requested to submit a **Partnership Agreement** stipulating the rights and duties of each partner, signed by all partners. **Please note that this document is not requested in the application phase and will not be used during the project selection phase.** The Partnership Agreements must be signed and provided to the Joint Managing Authority prior to the signature of the grant contract between the Joint Managing Authority and the applicant. A template of partnership agreement is annexed for information to the present Guidelines for grant applicants (Annex.K). The partners may decide to include additional or more restrictive provisions from those mentioned in the template.

The following are not partners and do not have to sign the “partnership statement/agreement”:

- Associates

Other organisations may be involved in the action. Such associates play a real role in the action but may not receive funding from the grant with the exception of per diem or travel costs. Associates do not have to meet the eligibility criteria referred to in section 2.1.1. The associates have to be mentioned in Part B section IV - “Associates of the Applicant participating in the Action” of the Grant Application Form.

- Subcontractors

The grant beneficiaries and their partners have the possibility to award contracts to subcontractors. Subcontractors are neither partners nor associates, and are subject to the procurement rules set out in Annex IV to the standard grant contract.

The applicant will act as the lead organisation and, if selected, as the contracting party (the "Beneficiary").

Roles and relations between beneficiary (lead partner) and partners

After signing the contract for the whole project budget, the Beneficiary will be the only direct contact between the project and the joint management bodies of the Programme. It is the responsibility of the beneficiary to create a well working partnership ensuring the proper and sound implementation of the project. In this respect, *the beneficiary (lead partner) shall assume the following responsibilities:*

- a) to lay down the arrangements for its relations with the partners participating in the operation in a partnership agreement comprising, inter alia, provisions guaranteeing the sound financial management of the funds allocated to the operation, including the arrangements for recovering amounts unduly paid. In this respect shall sign the partnership agreement and declarations.
- b) to ensure the implementation of the entire operation; In this respect it shall ensure the project management and overall co-ordination of the project activities.
- c) to ensure the monitoring and reporting about progress of the whole project in the framework of the agreed monitoring system. In this respect it shall collect information about all project components implemented by all partners.
- d) To be liable to the JMA for the total amount of the ENPI grant;
- e) to ensure that the expenditure presented by the partners participating in the operation has been paid for the purpose of implementing the operation and corresponds to the activities agreed between the partners participating in the operation; in this respect it shall ensure that the expenditure presented by the partners participating in the operation has been verified as according to Practical Guide to contract procedures for EC external actions;
- f) to submit the payment claims on the basis of the grant contract;
- g) to repay the JMA for the amounts unduly paid for the project.
- h) to facilitate the audit trail by all relevant EC and national authorities, which also includes keeping of documents as requested by Art.45 of Implementing Rules and the relevant provisions of the Practical Guide to contract procedures for EC external actions.

The partner in a project shall assume the following responsibilities:

- a) to ensure the implementation of the part of the project under its responsibility, according to the project plan and to the partnership agreement signed with the lead partner
- b) to cooperate with the beneficiary (lead partner) in the implementation of the project, reporting and monitoring
- c) to assume responsibility in the event of any irregularity in its own declared expenditures, and to repay the beneficiary the amounts unduly paid.

2.1.3 Eligible actions: actions for which an application may be made

Definition:

An action (or project) is composed of a set of activities addressing the programme objective, and preferably grouped into different groups of activities. Milestones should be defined for each group of activities carried out the outputs produced and the expected results.

Please note: The grant may not have the purpose or effect of producing a profit for the applicant or partners.

Profit is defined as a surplus of receipts over the costs incurred by the beneficiary when the request is made for final payment. Lump-sums and flat-rate financing should be established in such a way as to exclude *a priori* a profit.

Project Duration: The initial planned duration of a project may not be shorter than 6 months nor exceed 18 months.

Sectors or themes: The sectors or themes are described under the priority³ of the programme document²², and are related to local and regional governance, support to civil society and local communities, educational, social and cultural exchanges.

Location

The eligible “Programme area”, where the actions basically have to take place, consists of the core area and the adjoining regions.

Core area:

- **Romania:** the counties Suceava, Botosani, Iasi, Vaslui , Galati, and Tulcea
- **Ukraine:** the oblasts of Odessa and Chernivetska
- **Republic of Moldova:** the whole country.

Adjoining Regions²³:

²² See also the Joint Operational Programme Romania-Ukraine-Republic of Moldova, chapter 6, p. 65 to 69

http://www.ro-ua-md.net/index.php?page=DOCUMENTS_OFFICIAL

- **Romania:** the county of Braila
- **Ukraine:** the oblasts of Ivano-Frankivska, and Vinnytska plus ten districts of Vinkovetskyi, Chemerovetskyi, Khmelnytskyi, Kamyanets-Podilskyi, Letychivskyi, Dunayevetskyi, Derazhnyanskyi, Novoushytskyi, Yarmolynetskyi, and Horodotskyi in Khmelnytska oblast and the twelve districts of Ternopilskyi, Berezhanskyi, Pidgayetskyi, Kozivskyi, Pidvolochyskyi, Terebovlyanskyi, Monastyrskyi, Gusyatytskyi, Chortkivskyi, Borshchivskyi, Zalizhchytskyi and Buchatskyi in the oblast of Ternopilska.

Types of actions/projects

The nature of the projects may be of three kinds:

- **Integrated projects**, where partners carry out part of the activities of the joint project for their respective side of the border;
- **Symmetrical projects**, where similar activities are carried out in parallel on both sides of the border;
- **Simple projects** with a cross-border effect, taking place mainly or entirely on one side of the border but for the benefit of all or some of the partners involved in the Programme on both sides of the border.

Only soft projects may be carried out within **adjoining regions**.

Types of activities

An indicative list of **indicative types of activities** which may be financed under this Call for Proposals is presented below:

Priority 3: People to People Co-operation

Measure 3.1 Local and regional governance; support to civil society and local communities.

Activities that may be funded include:

- Initiatives of common (spatial and other) planning across the border
- Best practice transfer and exchange of experience for local and regional authorities, community groups, non governmental organisations - including support to euroregional co-operation;
- Development of joint planning strategies and initiatives including those promoted by euroregions;
- Initiatives to support regional/local administrative reform across the border, including cross border capacity building initiatives;
- Improvement of life expectancy programmes, support to public health surveillance and monitoring, public awareness and health education campaigns;
- Training, exchange of experience and best practice between the local/regional authorities fighting illegal migration, cross border criminality, drug trafficking, people trafficking and organised crime;
- Cross-border publicity campaigns, training workshops and courses to warn vulnerable groups about the dangers of people and drug trafficking;
- Cross-border rehabilitation courses for victims of people trafficking and drug abuse.

²³ When partners are located in the adjacent regions, in order to clearly determine the eligibility, please mention in the application form the district of the adjacent oblasts where your organisation is located (see section 2).

- Establishment of networks between professionals in the areas of labour market, health services and health promotion.

Measure 3.2 Educational, social and cultural exchanges

Activities that may be funded include:

- Education exchanges between schools, colleges and adult education institutions including both staff and students;
- Exchanges in less formal education groups such as youth groups and community groups;
- Exchanges to develop cultural and social initiatives, raising awareness campaigns in the field of environmental protection, ecological camps;
- Cultural events and festivals with a clear and visible cross-border aspect
- Projects between educational and labour market specialists which lead to the common recognition of educational qualifications.
- Joint media events supporting cross-border co-operation

Ineligible types of actions

The following types of action are ineligible:

- actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences, congresses;
- actions concerned only or mainly with individual scholarships for studies or training courses; projects that have already been approved for financing from other sources, including other EC programmes. If full or part of the action has been proposed for financing from other sources, the Joint Managing Authority should be informed by the Applicant within the application;
- activities of a political nature;
- projects related to:
 - the tobacco industry;
 - production of alcoholic distilled beverages;
 - fire arms and munitions.

Number of applications and grants per applicant

An applicant may submit more than one application under this call for proposals.

An applicant may be awarded more than one grant under this call for proposals.

An applicant may at the same time be partner in another application.

Partners may take part in more than one application.

An Applicant (Lead partner) may be awarded more than one grant under this call for proposals, if he can demonstrate its financial and administrative capacity of managing and co-financing all the awarded projects. If, in the evaluation stage, the respective Applicant does not meet the financial and operational capacity requirement to implement all projects, the Evaluation Committee may reject the proposal with the lowest score, according to PRAG provisions.

Table no.1: Summary of the conditions for projects

	Core area	Adjoining region	Romania	Ukraine	Republic of Moldova
Applicant / LP	Yes	No	Yes	Yes	Yes
Partner	Yes	Yes	Yes	Yes	Yes
Type of project	All	Only soft	All	All	All
Mode of co-operation	-	-	With UA and/or MD	With RO, or RO and MD	With RO, or RO and UA
Project budget	80-100 %	Up to 20 %	-	-	-
Co-financing	At least 10 % of the total eligible costs of the action involving the Beneficiary and the partners				

2.1.4 Eligibility of costs: costs, which may be taken into consideration for the grant

Only "eligible costs" can be taken into account for a grant. The categories of costs considered as eligible and non-eligible are indicated below. The budget is both a cost estimate and a ceiling for "eligible costs". Note that the eligible costs must be based on real costs based on supporting documents (except for subsistence costs and indirect costs where flat-rate funding applies).

Recommendations to award a grant are always subject to the condition that the checking process, which precedes the signing of the contract, does not reveal problems requiring changes to the budget (for instance arithmetical errors, inaccuracies or unrealistic costs and other ineligible costs). The checks may give rise to requests for clarification and may lead the Joint Managing Authority to impose modifications or reductions to address such mistakes or inaccuracies. The amount of the grant and the percentage of co-financing as a result of these corrections may not be increased.

It is therefore in the applicant's interest to provide a **realistic and cost-effective budget** (Annex B-Budget).

Eligible direct costs

To be eligible under the Call for Proposals, costs must comply with the provisions of article 14 of the General Conditions to the Standard Grant Contract. Therefore they must meet the following *criteria*:

- they are incurred during the implementation of the action with the exception of costs relating to final reports, expenditure verification and evaluation of the action, whatever the time of actual disbursement by the Beneficiary and/or its partners. Procedures to award subcontracts for goods/services/works used/provided/delivered during the implementation period, may have been initiated but contracts may not be concluded by the Beneficiary or its partners before the start of the implementation period of the Action, provided the provisions of Annex IV of the grant contract "Procurement by grant beneficiaries in the context of European Community external actions" were respected.
- must be indicated in the estimated overall budget of the action,
- must be necessary for the implementation of the action which is the subject of the grant,
- they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost accounting practices of the beneficiary,

e) must be reasonable, justified and comply with the requirements of sound financial management, in particular regarding economy and efficiency,

Subject to the above and where relevant to the provisions of Annex IV being respected, the following direct costs of the Beneficiary and its partners shall be eligible:

- **the cost of staff assigned to the Action**, corresponding to actual gross salaries including social security charges and other remuneration-related costs; salaries and costs must not exceed those normally borne by the Beneficiary or its partners, as the case may be, unless it is justified by showing that it is essential to carry out the action;
- **travel and subsistence costs** for staff and other persons taking part in the Action, provided they do not exceed those normally borne by the Beneficiary or its partners, as the case may be. Any flat-rate reimbursement of the subsistence costs must not exceed the rates set out in Annex III, which correspond to the scales published by the European Commission at the time of signing this contract;
- **purchase or rental costs for equipment and supplies** (new or used) specifically for the purposes of the Action, and costs of services, provided they correspond to market rates;
- **costs of consumables**;
- **subcontracting expenditure**;
- **costs deriving directly from the requirements of the Contract** (dissemination of information, evaluation specific to the Action, audits, translation, reproduction, insurance, etc.) including financial service costs (in particular the cost of transfers and financial guarantees).

Expenditure verification costs should be in line with the normal market rates for this type of service.

Contingency reserve

A contingency reserve not exceeding 5% of the direct eligible costs may be included in the Budget of the Action. It can only be used with the **prior written authorisation** of the Joint Managing Authority.

Eligible indirect costs (administrative overheads)

The indirect costs incurred in carrying out the action may be eligible for flat-rate funding fixed at not more than 7% of the total eligible direct costs.

If the applicant is in receipt of an operating grant financed from the Community budget no indirect costs may be claimed within the proposed budget for the action.

Contributions in kind

Contributions in kind are not considered actual expenditure and are not eligible costs. The contributions in kind may not be treated as co-financing by the Beneficiary.

The cost of staff assigned to the Action is not a contribution in kind and may be considered as co-financing in the Budget of the Action when paid by the Beneficiary or his partners.

Notwithstanding the above, if the description of the action as proposed by the beneficiary foresees the contributions in kind, such contributions have to be provided as described in the application, but will not be considered as eligible expenditure.

Ineligible costs

The following costs are not eligible:

- debts and provisions for losses or debts;
- interest owed;
- items already financed in another framework;
- purchases of land or buildings, except where necessary for the direct implementation of the Action (project), in which case ownership must be transferred to the final beneficiaries and/or local partners, at the latest at the end of the action;
- currency exchange losses;
- taxes, including VAT, unless the Beneficiary (or, where applicable, its partners) cannot reclaim them and the applicable regulations do not forbid coverage of taxes;
- credits to third parties;
- fines and penalties;
- Any costs incurred prior to signature of the contract (including costs incurred for preparation of the application).

2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW

OPEN CALL FOR PROPOSALS

2.2.1 Application form

Applications and annexes must be submitted in accordance with the instructions included in the Grant Application Form annexes to these Guidelines (Annex A).

Applicants must apply in English.

Any error or major discrepancy related to the points listed in the instructions on the Concept Note or any major inconsistency in the application form (e.g. the amounts mentioned in the budget are inconsistent with those mentioned in the application form) may lead to the rejection of the application. (Please fill in the checklists provided as annexes to the Application form).

Hand-written applications will not be accepted.

Please note that only the application form and the published annexes which have to be filled in by the applicant (budget, logical framework) will be evaluated. It is therefore of utmost importance that these documents contain all relevant information concerning the action.

The Application should be accurately filled and to provide enough details, particularly regarding the manner in which the aims of the project would be achieved, the benefits that would be generated and how these are relevant to the programme's objectives.

The Applicant should present in the content of the Grant Application Form, the manner in which the cross-cutting themes of the programme would be integrated into the project (i.e. sustainable development, equal opportunities and territorial cohesion).

The Applicant should also present in the content of the Grant Application Form, the manner in which the respective project builds upon or complements other projects and initiatives, implemented by the applicant or by other partners in the same field and how overlapping with similar activities would be prevented.

The Applicant must also explain in the Grant Application Form whether the project is expected to have springboard or multiplier effects, for instance by the dissemination or replication of results in other regions and if so, how these are foreseen to come into action. They will describe whether their project can be considered as a pilot project that has the capacity to be used as a model and to be replicated on a larger scale under other initiatives.

Please make sure that the Declaration by the Applicant (Section III of part A of the grant application form) and Partnership Statements (Section III.2 of part B of the grant application form) are signed by the legally authorised representative of the relevant organisations.

The budget tables Annex B *Budget of the Action and Sources of funding* must be drawn up in Euro, using two decimals, and provide clear information about the way the money will be spent according to the activities described and divided per each partner.

The application should be bound (together with its annexes) in the way that pages could not be taken away from a whole set. The very first page of the Grant Application Form should be visible, where <Name of the Applicant> and <Priority> and <Measure> should be written by the Applicant. Please note that it is the Applicant's responsibility to number and bound the Grant Application Form and the related documents. The Evaluation Committee/JMA shall not be held responsible for any incidents regarding the loss of files if this condition is not met.

Clarifications will only be requested when information provided is unclear, thus preventing the Evaluation Committee from conducting an objective assessment. However, the applicant cannot improve or modify the content of the project proposal during the evaluation.

Applicants may receive requests for clarifications during the evaluation process from the Joint Managing Authority for themselves and all partners. These requests must be answered in maximum 7 calendar days, according to the time limit set by the Evaluation Committee in the written request for clarification.

An **indicative but not exhaustive list of possible reasons for requesting clarifications** from the Applicants as regards the Grant Application Form²⁴ is presented below:

1. if any of the supporting documents are not provided (as required in 2.2.1 and 2.4);
2. if there is any inconsistency in the Grant Application Form;
3. if there is any incoherence between the Declaration by the Applicant and the supporting documents;

Please note that the following documents must be mandatorily submitted before the deadline and may not be subsequently requested by the Evaluation Committee:

- a complete application form,***
- a declaration by the applicant***
- partnership statements***
- budget table.***
- logical framework for projects over 100 000 EURO***

Non-submission of these documents before the deadline should lead to rejection of the application.

Please note that in the following cases, up to the Evaluation Committee's decision, the applications may be excluded from further evaluation:

²⁴ The Applicants will send their answers within maximum 10 calendar days according to the time limit set in the written request for clarification.

- If the name of the applicant, or priority are not mentioned on the envelope and/or in the Grant Application Form;
- If the application is not submitted in the language required;
- If the requested grant is not in line with the maximum and minimum amounts for particular priority;
- If no sufficient co-financing is foreseen.

SUPPORTING DOCUMENTS TO BE SUBMITTED TOGETHER WITH THE APPLICATION

Together with the application form (Annex A), and the annexes B, C, and H listed in chapter 3 of the present guidelines (page 33), the following documents must be submitted in order to be used in the technical evaluation:

- 1. The job descriptions** for the key permanent staff of applicant-partner which will be involved in the Action implementation. A model of job description is annexed for information to these guidelines for applicants.
- 2. Legalized mandates of delegation** from the legal representatives of applicant (in case the application form and annexed declarations are not signed by the legal representatives of the applicant).

The applicants are requested to bind these supporting documents separately, in the sequence described above and a cover sheet will separate each document.

The supporting documents requested must be supplied in the form of originals, photocopies or scanned versions (i.e. showing legible stamps, signatures and dates) of the said originals. The legal representative of the applicant (the Lead partner)/partner(s) concerned should certify all copies “According to the original”.

A translation into English of the relevant parts of these documents reflecting the main content, must be attached and will prevail for the purpose of analysing the application. The translation should bear:” According to the original” and be signed and stamped by the Applicant or Partner(s) concerned.

2.2.2 *Where and how to send the Applications*

Applications must be submitted in one original and 4 copies in A4 size, each bound. The complete application form (part A: concept note and part B: full application form), budget and logical framework must also be supplied in electronic format (CD-Rom) in a separate and unique file (e.g. the application form must not be split into several different files). The electronic format must contain **exactly the same** application as the paper version enclosed.

The Checklist (Section V of part B the grant application form) and the Declaration by the applicant (Section III of part A of the grant application form) must be stapled separately and enclosed in the envelope.

Where an applicant sends several different applications, each one has to be sent separately.

The outer envelope must bear the **title of the call for proposals, the priority and measure, together with the full name and address of the applicant, and the words "Not to be opened before the opening session".**

Applications must be submitted in a sealed envelope by registered mail, private courier service or by hand-delivery (a signed and dated certificate of receipt will be given to the deliverer) at the address below:

Postal address, address for hand delivery or by private courier service

The Joint Technical Secretariat -Suceava

CBC Regional Office

961C Humorului Street, 2 floor, Code 727525, Suceava

County: Suceava, ROMANIA

Phone: +40 230 530 049

Fax: +40 230 530 055

Applications sent by any other means (e.g. by fax or by e-mail) or delivered to other addresses will be rejected.

Applicants must verify that their application is complete using the checklist (section V of part B of the grant application form). Incomplete applications will be automatically rejected.

2.2.3 *Deadline for submission of Applications*

The deadline for the submission of applications for Priority 3 is 28th of September 2009 at 16:00 hours Romanian time, as evidenced by the date of dispatch, the postmark or the date of the deposit slip. In the case of hand-deliveries, the deadline for receipt is 28th of September 2009 at 16:00 hours Romanian time as evidenced by the signed and dated receipt. Any application submitted after the deadline will automatically be rejected.

However, for reasons of administrative efficiency, the Joint Managing Authority may reject any application received after the effective date of approval of the second evaluation step (i.e. Concept Note) (see indicative calendar under section 2.5.2)

2.2.4 *Further information for the Application*

Information sessions on this call for proposals will be held in the programme area (core area and adjoining regions).

Further details regarding the venue and exact date and hours shall be published on the programme website: www.ro-ua-md.net, of the Joint Managing Authority (Ministry of Regional Development and Housing, Romania).

Questions may in addition be sent by e-mail or by fax no later than 21 days before the deadline for the submission of applications to the below address (es), indicating clearly the reference of the call for proposals:

E-mail address: office@brctsuceava.ro,

Fax: +40 230 530 055

E-mail address: office@brctiasi.ro

Fax: +40 232 260 646

E-mail address: info.ro-ua-md@mdrl.ro

Replies will be given no later than 11 days before the deadline for the submission of applications. The Joint Managing Authority and the Joint Technical Secretariat has no obligation to provide further clarifications after this date.

In the interest of equal treatment of applicants, the Joint Managing Authority and Joint Technical Secretariat (including its Branch Offices) cannot give a prior opinion on the eligibility of an applicant, a partner, an action or specific activities.

Questions that may be relevant to other applicants, together with the answers, will be published on the internet at the programme website : www.ro-ua-md.net.

2.3 EVALUATION AND SELECTION OF APPLICATIONS

Applications will be examined and evaluated by an Evaluation Committee consisting of representatives of all participating countries, with the assistance of external assessors and of the Joint Technical Secretariat. All actions submitted by the applicants will be assessed according to the following steps and criteria:

Even though the verification of eligibility is foreseen to be carried out only for the provisionally selected applicants at the end of the procedure, the Evaluation Committee may decide to verify this point at any previous step of the procedure. Taking into account the Good Administrative Practices, the Evaluation Committee can exclude an applicant at any stage of the Call for proposals evaluation process whenever it is obvious that the latter does not meet the eligibility criteria.

In conclusion, if the examination of the application reveals that the proposed action does not meet the eligibility criteria stated in paragraph 2.1.3, the application shall be rejected on this sole basis.

(1) STEP 1: OPENING SESSION AND ADMINISTRATIVE CHECK

The Joint Technical Secretariat will assess the following:

- The submission deadline has been respected. If the deadline has not been respected the application will automatically be rejected.
- The Application Form satisfies all the criteria specified in points 1-8 of the Checklist (section V of part B of the grant application form). If any of the requested information is missing or is incorrect, the application may be rejected on that sole basis and the application will not be evaluated further.

Following the opening session and the administrative check and after approval of the Opening session and administrative check Report by the Evaluation Committee, the Joint Technical Secretariat will send a letter to all applicants, indicating whether their application was submitted prior to the deadline, informing them of the reference number they have been allocated and whether they have been recommended for further evaluation.

(2) STEP 2: EVALUATION OF THE CONCEPT NOTE

The evaluation of the Concept Notes that have passed the first administrative check will cover the relevance of the action, its merits and effectiveness, its viability and sustainability. The Evaluation Committee reserves the right not to undertake the evaluation of the Concept Notes whenever considered justified (for example when a less than expected number of applications are received and to go straight to the evaluation of the corresponding full applications.

Please note that the scores awarded to the Concept Note are completely separate from those given to the Full Application.

The Concept Note will be given an overall score out of 50 points in accordance with the breakdown provided in the Evaluation Grid below. The evaluation shall also verify the compliance with instructions provided in the guidance for Concept Note, part A of the grant application form.

The evaluation criteria are divided into headings and subheadings. Each subheading will be given a score between 1 and 5 in accordance with the following assessment categories: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

	Scores	
1. Relevance of the action (Does the project really fulfil the criteria of being a cross-border project?)	Sub-score	15
1.1 Relevance of the action needs and constraints of the country/region to be addressed in general, and to those of the target groups and final beneficiaries in particular.	5	
1.2 Relevance to the priorities and objectives mentioned in the Guidelines.	5(x2)*	
2. Effectiveness and Feasibility of the action	Sub-score	25
2.1 Assessment of the problem identification and analysis.	5	
2.2 Assessment of the proposed activities (practicality and consistency in relation to the objectives, purpose and expected results).	5(x2)*	
2.3 Assessment of the role and involvement of all partners and stakeholders.	5(x2)*	
3. Sustainability of the action	Sub-score	10
3.1 Assessment of the identification of the main assumptions and risks, before the start up and throughout the implementation period.	5	
3.2 Assessment of the identification of long-term sustainable impact on the target groups and final beneficiaries.	5	
TOTAL SCORE		50

*the scores are multiplied by 2 because of their importance

Once all Concept Notes have been assessed, a list will be established with the proposed actions ranked according to their total score.

Firstly, only the Concept Notes which have been given a score of a minimum of 12 points in the category "1.Relevance" as well as a minimum total score of 30 points will be considered for pre-selection.

Secondly, the list of Concept Notes will be reduced in accordance to the ranking to those whose sum of requested contributions amounts to 10 million EURO twice the available budget for this Call for proposals, taking into account the indicative financial envelopes foreseen by priority. The Evaluation Committee will subsequently proceed with the applicants whose proposals have been pre-selected.

(3) STEP 3: EVALUATION OF THE FULL APPLICATION

An evaluation of the quality of the applications pre-selected, including the proposed budget, and of the capacity of the applicant and its partners, will be carried out, by the Evaluation Committee that maybe assisted by external assessors in accordance with the evaluation criteria set out in the Evaluation Grid included below. The assessors should be nominated according to criteria set by the Joint Monitoring Committee. There are two types of evaluation criteria: selection and award criteria.

The selection criteria are intended to help evaluate the applicants' and applicants' partners' financial and operational capacity to ensure that they:

- have stable and sufficient sources of finance to maintain their activity throughout the period during which the action is being carried out and to participate in its funding;
- have the management capacity, professional competencies and qualifications required to successfully complete the proposed action. This also applies to any partners of the applicant.

The award criteria allow the quality of the applications submitted to be evaluated in relation to the set objectives and priorities, and grants to be awarded to actions, which maximise the overall effectiveness of the call for proposals. They enable the selection of applications which the Joint Managing Authority can be confident will comply with its objectives and priorities and guarantee the visibility of the Community financing (see http://ec.europa.eu/europeaid/work/visibility/index_en.htm). They cover such aspects as the relevance of the action, its consistency with the objectives of the call for proposals, quality, expected impact, sustainability and cost-effectiveness.

Scoring:

The evaluation criteria are divided into sections and subsections. Each subsection will be given a score between 1 and 5 in accordance with the following guidelines: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

Evaluation Grid

Section	Maximum Score
1. Financial and operational capacity	20
1.1 Do the applicant and, if applicable, partners have sufficient experience of project management ?	5
1.2 Do the applicant and, if applicable partners have sufficient technical expertise ? (notably knowledge of the issues to be addressed.)	5
1.3 Do the applicant and, if applicable, partners have sufficient management capacity ? (including staff, equipment and ability to handle the budget for the action)?	5
1.4 Does the applicant have stable and sufficient sources of finance ?	5
2. Relevance	25
2.1 How relevant is the proposal to the objectives and one or more of the priorities of the call for proposals? Note: A score of 5 (very good) will only be allocated if the proposal specifically addresses at least one priority . Note: A score of 5 (very good) will only be allocated if the proposal contains specific added-value elements, such as promotion of gender equality and equal opportunities	5 x 2
2.2 How relevant to the particular needs and constraints of the target country/countries or region(s) is the proposal? (including synergy with other EC initiatives and avoidance of duplication.)	5
2.3 How clearly defined and strategically chosen are those involved (final beneficiaries, target groups)? Have their needs been clearly defined and does the proposal address them appropriately?	5 x 2
3. Methodology	25
3.1 Are the activities proposed appropriate, practical, and consistent with the objectives and expected results?	5
3.2 How coherent is the overall design of the action? (in particular, does it reflect the analysis of the problems involved, take into	5

account external factors and anticipate an evaluation ?)	
3.3 Is the partners' and/or other stakeholders' level of involvement and participation in the action satisfactory?	5
3.4 Is the action plan clear and feasible?	5
3.5 Does the proposal contain objectively verifiable indicators for the outcome of the action?	5
4. Sustainability	15
4.1 Is the action likely to have a tangible impact on its target groups?	5
4.2 Is the proposal likely to have multiplier effects ? (including scope for replication and extension of the outcome of the action and dissemination of information.)	5
4.3 Are the expected results of the proposed action sustainable : - financially (<i>how will the activities be financed after the funding ends?</i>) - institutionally (<i>will structures allowing the activities to continue be in place at the end of the action? Will there be local "ownership" of the results of the action?</i>) - at policy level (where applicable) (<i>what will be the structural impact of the action — e.g. will it lead to improved legislation, codes of conduct, methods, etc?</i>)? - environmentally (<i>will the action have a negative/positive environmental impact?</i>) Please fill in the Annex H	5
5. Budget and cost-effectiveness	15
5.1 is the ratio between the estimated costs and the expected results satisfactory?	5
5.2 Is the proposed expenditure necessary for the implementation of the action?	5 x 2
Maximum total score	100

Note on Section 1. Financial and operational capacity

If the total average score is less than 12 points for section 1, the application will be rejected.

Note on Section 2. Relevance

If the total average score is less than 20 points for section 2, the application will be rejected.

Provisional selection

Following the evaluation, a table listing the applications ranked according to their score and within the available financial envelope will be established as well as a reserve list following the same criteria.

Note: The scores awarded in this phase are completely separate from those given to the concept note of the same application.

(4) STEP 4: VERIFICATION OF ELIGIBILITY OF THE APPLICANT AND PARTNERS

The eligibility verification, based on the supporting documents requested by the Joint Managing Authority (see section 2.4) will only be performed for the applications that have been provisionally selected according to their score and within the available financial envelope.

- The Declaration by the applicant (Section III of part A the grant application form) will be cross-checked with the supporting documents provided by the applicant. Any missing supporting document or any incoherence between the Declaration by the applicant and the supporting documents may lead to the rejection of the application on that sole basis.
- The eligibility of the applicant, the partners, and the action will be verified according to the criteria set out in sections 2.1.1, 2.1.2 and 2.1.3. by the Evaluation Committee with the support of the Joint Technical Secretariat.

Following the above analysis and if necessary, any rejected application will be replaced by the next best placed application in the reserve list that falls within the available financial envelope, which will then be examined for the eligibility of its applicant and the partners.

2.4 SUBMISSION OF SUPPORTING DOCUMENTS FOR PROVISIONALLY SELECTED APPLICATIONS

Applicants who have been provisionally selected or listed under the reserve list will be informed in writing by the Joint Managing Authority. They will be requested to supply the following documents, within 10 working days, in order to allow the Evaluation Committee to verify the eligibility of the applicants and their partners:

1. The **statutes or articles of association** of the applicant organisation²⁵ and of each partner organisation.
2. **Certificates of Fiscal Registration/ Certificate of tax payer registration** for applicant organisation and of each partner organisation.
3. Copy of the applicant's **latest accounts** (the profit and loss account and the balance sheet for the previous financial year for which the accounts have been closed)²⁶.
4. A **financial identification form** (in original) conforming to the model attached **at Annex E** of these Guidelines, certified by the bank to which the payments will be made. This bank must be located in the country where the applicant is registered. If the applicant has already signed a contract with the European Commission or where the European Commission has been in charge of the payments of a contract, a copy of the previous financial identification form may be provided instead, unless a change in its bank account occurred in the meantime. In case the Applicant does not have EURO account at the moment of requesting the supporting documents, the existing account in national currency may be declared in the Financial identification

²⁵ Where the applicant and/or (a) partner(s) is a public body created by a law, only a copy of the said law (or relevant legislative act) must be provided

²⁶ This obligation does not apply to public bodies. It does not apply either when the accounts are in practice the same documents as the external audit report already provided pursuant to section 2.4.2. This obligation does not apply when the accounts are actually the same documents as the external audit report already provided pursuant to point 2 of the section 2.4.

form. However, after the Applicant gets the Award letter, before the Contract signature, it must provide the Joint Managing Authority with the Financial identification form with the bank account in Euro. The Applicant must inform the Joint Managing Authority about any change in the bank requisites.

5. Legal Entity Sheet (see **Annex D** of these Guidelines) duly completed and signed by the applicant, accompanied by the justifying documents which are requested therein.

The applicants are requested to bind these supporting documents separately, in the sequence described above and a cover sheet will separate each document.

The requested supporting documents must be supplied in the form of originals, photocopies or scanned versions (i.e. showing legible stamps, signatures and dates) of the said originals. However, the legal entity sheet and the financial identification form must always be submitted in original. The legal representative of the applicant (the Lead partner)/partner(s) concerned should certify all copies “According to the original

A translation into English of the relevant parts of these documents reflecting the main content, must be attached and will prevail for the purpose of analysing the application. The translation should bear: “According to the original” and be signed and stamped by the Applicant or Partner(s) concerned.

If the abovementioned supporting documents are not provided before the deadline indicated in the request for supporting documents sent to the applicant by the Joint Managing Authority, the application may be rejected.

Based on the verification of the supporting documents by the Evaluation Committee will make a final recommendation to the Joint Managing Authority, which will submit it to the Joint Monitoring Committee who will decide on the award of grants.

2.5 NOTIFICATION OF THE JOINT MONITORING COMMITTEE'S DECISION

2.5.1 Content of the decision

Applicants will be informed in writing of the Joint Monitoring Committee's decision concerning their application by the Joint Managing Authority and, in case of rejections, the reasons for the negative decision.

Applicants believing that they have been harmed by an error or irregularity during the award process may file a complaint. See further section 2.4.15 of the Practical Guide.

2.5.2 Indicative time table

	DATE	TIME*
Information meeting (if any)	< Date / Not applicable >	< Time / Not applicable >
Deadline for request for any clarifications from the Joint Managing Authority	8 th of September 2009	16:00 hours
Last date on which clarifications are issued by the Joint Managing Authority	19 th of September 2009	16:00 hours
Deadline for submission of Application Form	28 th of September 2009	16:00 hours
Information to applicants on the opening & administrative check (step 1)	October 2009*	-
Information to applicants on the evaluation of the Concept Notes (step 2)	November 2009*	-
Information to applicants on the evaluation of the Full Application Form (step 3)	February 2010*	-
Notification of award (after the eligibility check) (step 4)	March 2010*	-
Contract signature	April 2010*	-

*Provisional date. All times are in the time zone of Romania (the country of the Joint Managing Authority)

After the notification of the Joint Monitoring Committee's decision, before signing the grant contract the applicant has to submit to the Joint Managing Authority the following documents:

1. Partnership Agreement stamped and signed by each partner;

2. Certified Copy of a certificate issued by the competent state authority in each participating country proving that potential Applicants and their partners have fulfilled **obligations relating to the payment of debts to the consolidated state budget** in accordance with the legal provisions of the country in which they are established. When this type of document is not available, a self declaration of the applicant/partner stating that obligations relating to the payment of debts to the consolidated state budget are fulfilled should be provided.

The documents requested must be supplied in the form of originals, photocopies or scanned versions (i.e. showing legible stamps, signatures and dates) of the said originals.

A translation into English of the relevant parts of these documents must be attached.

2.6 CONDITIONS APPLICABLE TO IMPLEMENTATION OF THE ACTION FOLLOWING THE JOINT MONITORING COMMITTEE'S DECISION TO AWARD A GRANT

Following the decision to award a grant, the Beneficiary will be offered a contract based on the Joint Managing Authority's standard contract (see Annex F of these Guidelines). By signing the Application form (Annex A of these Guidelines), the applicant declares accepting, in case where it is awarded a grant, the Contractual conditions as laid down in the Standard Contract.

Implementation contracts

Where implementation of the action requires the Beneficiary to award procurement contracts, it must award the contract to the tenderer offering the best value for money, that is to say, the best price-quality ratio, in compliance with the principles of transparency and equal treatment for potential contractors, care being taken to avoid any conflict of interests. To this end, the Beneficiary must follow the procedures set out in Annex IV to the Contract.

3. LIST OF ANNEXES

DOCUMENTS TO BE COMPLETED

ANNEX A: GRANT APPLICATION FORM (WORD FORMAT)

ANNEX B: BUDGET (EXCEL FORMAT)

ANNEX C: LOGICAL FRAMEWORK (EXCEL FORMAT)²⁷

ANNEX D: LEGAL ENTITY SHEET

ANNEX E: FINANCIAL IDENTIFICATION FORM

ANNEX H: ENVIRONMENTAL INFORMATION

DOCUMENTS FOR INFORMATION

ANNEX F: STANDARD CONTRACT

- ANNEX II: GENERAL CONDITIONS APPLICABLE TO EUROPEAN COMMUNITY-FINANCED GRANT CONTRACTS FOR EXTERNAL ACTIONS
- ANNEX II A: SPECIAL CONDITIONS
- ANNEX IV: CONTRACT AWARD PROCEDURES
- ANNEX V: STANDARD REQUEST FOR PAYMENT
- ANNEX VI: MODEL NARRATIVE AND FINANCIAL REPORT
- [-ANNEX VII: MODEL REPORT OF FACTUAL FINDINGS AND TERMS OF REFERENCE FOR AN EXPENDITURE VERIFICATION OF AN EC FINANCED GRANT CONTRACT FOR EXTERNAL ACTIONS]
- [-ANNEX VIII: MODEL FINANCIAL GUARANTEE]

-ANNEX G: DAILY ALLOWANCE RATES (PER DIEM), available at the following address:
http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm

ANNEX I: Project Cycle Management Guidelines
http://ec.europa.eu/europeaid/multimedia/publications/publications/manuals-tools/t101_en.htm

ANNEX J: MODEL JOB DESCRIPTION

ANNEX K: MODEL PARTNERSHIP AGREEMENT

4. LIST OF USEFUL TERMS

²⁷ Optional, where the total amount of the grants to be awarded under the call for proposals is EUR 100 000 or less.

Adjacent regions: Regions that may positively influence the co-operation in the border area. Only up to 20% of a project budget may be spent for activities carried out by partners located in the adjoining regions. Beneficiaries located in adjoining regions are allowed to participate only in soft projects under each priority and measure of the Programme.

Only up to 15% of the Programme funds may be used for financing expenditures incurred by partners located in adjoining regions

Organizations located in the adjoining regions may participate in projects only as partners, not as beneficiaries (lead partners).

The following regions will be eligible as Adjoining Regions in the Programme:

- For Romania, the county of Braila;
- For Ukraine, the oblasts of Ivano-Frankivska, and Vinnytska plus ten districts of Vinkovetskyi, Chemerovetskyi, Khmelnytskyi, Kamyanets-Podiskyi, Letychivskyi, Dunayevetskyi, Derazhnyanskyi, Novoushutskyi, Yarmolynetskyi and Horodetskyi, in Khmelnytska Oblast and the twelve districts of Ternopilskyi, Berezhanskyi, Pidgayetskyi, Kozivskyi, Pidvolochyskyi, Terebovlyanskyi, Monsturskyi, Gusyatytskyi, Chortkivskyi, Borschchivskyi, Zalishutskyi and Buchatskyi in the oblast of Ternopilska.

Applicant (Beneficiary, Lead Partner): A body which signs a grant contract with the Joint Managing Authority and which assumes full legal and financial responsibility for project implementation vis-à-vis that authority; it receives the financial contribution from the Joint Managing Authority and ensures it is managed and, where appropriate, distributed in accordance with the agreements drawn up with its partners; it alone is responsible to the Joint Managing Authority and it is directly accountable to the authority for the operational and financial progress of activities. All project partners appoint the applicant (lead partner).

Co-financing: Where two or more parties are involved in funding a project.

Core Area: The following areas constitute the core area of the programme – the Romanian counties of Suceava, Botosani, Iasi, Vaslui, Galati, and Tulcea, the Ukrainian oblasts of Odessa and Chernivetska and the whole territory of Republic of Moldova.

Grant: A direct payment of a non-commercial nature by the Joint Managing Authority to a specific recipient to implement an operation (or in some cases to finance part of its budget) in order to promote an objective of the Joint Operational Programme. Romania-Ukraine-Republic of Moldova.

Large-scale projects: Projects comprising a set of works, activities or services intended to fulfil an indivisible function of a precise nature pursuing clearly identified objectives of common interest for the purposes of implementing cross-border investments.

Procurement: The purchase of goods, equipment, services, etc

Programme Area: Core area plus adjacent regions

Project Partner: Participant in a project, responsible for implementation of part of the project's activities, in accordance to the project plan and to the partnership agreement signed with the applicant (lead partner) of the grant.

Soft Project: A project that is intended to bring about change and does not have a physical end product; a project, which is not principally concerned with construction or equipment provision. 'Soft' projects include activities such as institutional strengthening, training, policy reform, exchange of experience.

Sustainable: A project is sustainable when it can provide an acceptable amount of benefits to the target group during a sufficiently long period after the funder's assistance ceases.

Target groups: The groups/entities that will be directly positively influenced by the project at the Project Purpose level.



Romania - Ukraine - Republic of Moldova
CROSS BORDER COOPERATION
