



Connecting Europe Facility (CEF)

Call for proposals

CEF Digital - Backbone connectivity for Digital Global Gateways

(CEF-DIG-2024-GATEWAYS)

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HEALTH AND DIGITAL EXECUTIVE AGENCY (HaDEA)

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CALL FOR PROPOSALS

TABLE OF CONTENTS

0. Introduction	4
1. Background	5
2. Objectives — Scope (including digital security requirements) — Expected impact	6
Objectives	6
2.1 CEF-DIG-2024-GATEWAYS-WORKS – Backbone connectivity for Digital Global Gateways - Works	_
Scope	
Digital security requirements	
Expected impact	13
2.2 CEF-DIG-2024-GATEWAYS-STUDIES – Backbone connectivity for Digital Global Gateways - Studies	14
Scope	14
Digital security requirements	14
Expected impact	15
3. Available budget	16
4. Timetable and deadlines	16
5. Admissibility and documents	16
6. Eligibility	18
Eligible participants (eligible countries)	18
Consortium composition	20
Eligible activities	20
Geographic location (target countries)	20
Duration	20
Project budget	20
7. Financial and operational capacity and exclusion	20
Financial capacity	20
Operational capacity	21
Exclusion	22
8. Evaluation and award procedure	23
9. Award criteria	
10. Legal and financial set-up of the Grant Agreements	25

	Starting date and project duration	.25
	Milestones and deliverables	.25
	Form of grant, funding rate and maximum grant amount	.25
	Budget categories and cost eligibility rules	.26
	Reporting and payment arrangements	.27
	Prefinancing guarantees	.28
	Certificates	.28
	Liability regime for recoveries	.28
	Provisions concerning the project implementation	.29
	Other specificities	.29
	Non-compliance and breach of contract	.29
11	. How to submit an application	.29
12	. Help	30
13	Important	32

0. Introduction

This is a call for proposals for EU **action grants** in the field of "Backbone connectivity for Digital Global Gateways" under the Digital strand of the **Connecting Europe Facility (CEF)**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2024/2509 (<u>EU Financial Regulation</u>)
- the basic act (CEF Regulation 2021/11531).

The call is launched in accordance with the <u>2024-2027 Work Programme</u>² and will be managed by the European Health & Digital Executive Agency (HaDEA) (hereafter 'the Agency').

The call covers the following **topics**:

- CEF-DIG-2024-GATEWAYS-WORKS Backbone connectivity for Digital Global Gateways - Works
- CEF-DIG-2024-GATEWAYS-STUDIES Backbone connectivity for Digital Global Gateways - Studies

Each project application under the call must address only one of these topics. Applicants wishing to apply for more than one topic must submit a separate proposal under each topic. Preparatory studies related to a works proposal should be submitted within the works proposal to the WORKS topic. See Section 2.1.

NOTE: The term 'project' used in the call documentation is synonymous to the term 'action' used in the CEF Regulation 2021/1153.

We invite you to read the **call documentation** on the Funding & Tenders Portal Topic page carefully, and in particular this Call Document, the Model Grant Agreement, the

¹ Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility (OJ L 249, 14.7.2021, p. 38–81).

Commission Implementing Decision C(2024) 6891 final of 9 October 2024 on the financing of the Connecting Europe Facility – Digital sector and the adoption of the multiannual work programme for 2024-2027.

<u>EU Funding & Tenders Portal Online Manual</u> and the <u>EU Grants AGA — Annotated Grant</u> Agreement.

These documents provide clarifications and answers to questions you may have when preparing your application:

- the Call Document outlines the:
 - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)
 - timetable and available budget (sections 3 and 4)
 - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
 - criteria for financial and operational capacity and exclusion (section 7)
 - evaluation and award procedure (section 8)
 - award criteria (section 9)
 - legal and financial set-up of the Grant Agreements (section 10)
 - how to submit an application (section 11)
- the <u>Online Manual</u> outlines the:
 - procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
 - recommendations for the preparation of the application
- the AGA Annotated Grant Agreement contains:
 - detailed annotations on all the provisions in the Grant Agreement the successful applicants will have to sign in order to obtain the grant (including cost eligibility, payment schedule, accessory obligations, etc.).

1. Background

Providing high-quality backbone connectivity within the European Union, including islands and other remote territories, is crucial to achieve the ambitious connectivity targets of the Union and provide gigabit speed to all households and 5G coverage in all populated areas by 2030. They are also crucial in providing efficient international connectivity of strategic importance such as linking the EU with its trading and research partners around the globe.

In the first Report on the state of the Digital Decade 2023³, the Commission recommended that Member States "boost their efforts, including through necessary investments, to ensure that European digital infrastructures are secure and resilient, especially backbone infrastructure and submarine cables".

In February 2024, the Commission published the White Paper "How to master Europe's digital infrastructure needs?"⁴ (White Paper) which includes a section dedicated to submarine cable infrastructures, including their security, resilience, and funding. The White Paper stresses the importance of ensuring appropriate funding of strategic

³ 2023 Report on the state of the Digital Decade | Shaping Europe's digital future (europa.eu)

⁴ White Paper - How to master Europe's digital infrastructure needs? | Shaping Europe's digital future (europa.eu), page 10

submarine cables and pool together EU and national funding instruments to exploit synergies and ensure sufficient financing.

The White Paper is accompanied by a Recommendation on Secure and Resilient Submarine Cable Infrastructures⁵, which presents a set of actions at national and EU level aimed at improving submarine cable security and resilience, through a better coordination across the EU, both in terms of governance and funding.

Backbone connectivity plays an essential role in ensuring very-high capacity and performance (in terms of resilience, security, redundancy and latency) of digital connectivity throughout the EU, in particular for islands and Member States with coastlines, including the Outermost Regions (ORs^6) and Overseas Countries and Territories ($OCTs^7$).

The capacity and resilience of this overall network of backbone infrastructure benefit all users. Even those in landlocked Member States benefit from the routing of traffic via international submarine cable systems. It is therefore necessary for the EU to secure the competitive availability, reliability and resilience of such vital infrastructures. In particular, EU support is needed to address areas where a degree of market failure is observed and contribute to making possible projects that are essential for the resilience and security of the Union's backbone, and which would not be achieved by market forces alone.

CEF Digital is expected to be one of the main funding instruments for secure and resilient submarine cables reinforcing the links between Member States, stimulate the EU's supply chain and support the EU-wide digital ecosystem. The CEF contribution to the digital transformation can be even further increased by Member States preparing eligible projects through a complementary combination of CEF and other investments such as RRF or the design of complementary interventions under NDICI, ERDF/EAFRD or national programmes.

In line with article 9(4) (d) of the CEF Regulation 2021/1153, this call aims to contribute, directly to the increased performance, capacity, security and resilience of the backbone networks concerned, and indirectly of the networks located inside the territory of Member States that rely on such backbone capacity. This will furthermore address the substantial increase of data traffic expected in the coming years.

The call encourages the deployment of "smart" cable technologies, which can use the actual length of the cable either by attaching sensors, or by other probing techniques at the edge, to observe and monitor displacement and/or acoustic signals. This will allow projects addressing, in a cost-efficient way, multiple EU policies including self-protecting critical infrastructures, in line with the relevant provisions of the CER⁸ and NIS2⁹ directives.

2. Objectives — Scope (including digital security requirements) — Expected impact

<u>Objectives</u>

Recommendation on the security and resilience of submarine cable infrastructures | Shaping Europe's digital future (europa.eu)

Outermost Regions https://ec.europa.eu/regional-policy/en/policy/themes/outermost-regions/

Overseas Countries and Territories https://ec.europa.eu/international-partnerships/where-we-work/overseas-countries-and-territories-en

^{8 &}lt;u>Critical infrastructure resilience - European Commission (europa.eu)</u>

Directive - 2022/2555 - EN - EUR-Lex (europa.eu)

The objective of this call is to support the deployment of strategic networks as part of the Digital Global Gateway Strategy of the EU, contributing to strengthen the quality of connectivity within the Union as well as with third countries.

Access to backbone connectivity in EU Member States may differ significantly. In certain regions a lack of adequate backbone connectivity may have an impact on the development of, and service provided by access networks, and may generate possible imbalances in the prices of services, both for network operators in these regions, as well as for the users.

This can be the case, for example, for Member States that are themselves islands and/or have islands as part of their territory. For some remote territories such as islands, Outermost Regions and Overseas Countries and Territories, commercial prices and other conditions of backbone connectivity may hinder the full participation of both users and enterprises in the digital European economy.

Furthermore, the infrastructures connecting remote territories may be ageing or insufficient, in particular concerning the security of the existing infrastructures, which poses risks to the resilience of those regions, both from an economic and social point of view, especially in case of insufficient redundancy and available capacity of other alternative infrastructures to connect the regions.

In such areas, market forces alone may not provide answers to all of these challenges. As a result, certain areas may remain underserved or experience higher prices for access to backbone connectivity, or be subject to vulnerabilities, linked to the absence of a redundant connectivity providing sufficient capacity¹⁰ to the targeted territories of the Gigabit connectivity.

The applicants should justify that their proposal provides the best technology suited for the call objectives, which may include submarine cables systems, terrestrial backbone networks and satellite infrastructure.

The supported networks may encompass segments aiming at connecting to internet exchange points as well as data centers.

2.1 CEF-DIG-2024-GATEWAYS-WORKS - Backbone connectivity for Digital Global Gateways - Works

Scope

CEF Digital will support the deployment or upgrade of backbone networks, particularly submarine cable infrastructures, that meet any of the following conditions:

- connect at least two Member States;
- 2. connect a Member State with one or several of its islands, outermost regions, or overseas countries and territories;
- 3. connect one or several Member States and third countries, including accession and neighbourhood countries, directly, or indirectly via other cable infrastructures linked to the Union.

CEF Digital will not support projects that concern routes already served by at least two present or credibly planned submarine cables capable to deliver performances matching the current and foreseeable demand and compliant to EU security standards, in particular regarding ownership and high risk suppliers as described in section 8 of the CEF Digital Work Programme. Only in projects concerning territories (e.g. small islands,

¹⁰ For the purpose of this call, this connectivity should be provided at least by two cables controlled and operated by EU entities providing capacity that meets current needs as well as foreseeable future demand linked to the investments required to meet the Digital Decade Policy connectivity targets in the concerned territories.

hard to reach mountainous regions or territories with limited population density) where backbone connectivity needs can be served using satellite infrastructure, will this technology be taken into account when assessing the lack of redundancy.

In case of co-funding from national funds (including Cohesion Funds), State aid rules apply (see section 10 of the Work Programme for details¹¹).

The proposed project should be self-standing by providing connectivity according to the objectives of the call, even if the action is part of or will contribute to a wider objective (e.g. a section of a longer cable). The proposal will be evaluated on the basis of its specific objectives as well as its potential contribution to the wider system (existing or credibly planned).

For works, the total project costs required to construct and deliver the described networking solution for the foreseen system lifetime, from end to end, including cable landing stations and the connectivity towards them are covered by the scope of this call. In the case of satellite backbone solutions, only the costs linked to the construction of satellite ground stations and their interconnection with local networks are within the scope of the call. Furthermore, the proposal should justify the planned satellite constellation infrastructure on which the ground station will rely upon so that the sustainability, security and resilience of the end-to-end connectivity is also evaluated.

Costs related to an "Indefeasible Right of Use (IRU)" would normally be classified as rental/leasing of the equipment/infrastructure/asset according to the full cost option foreseen under Article 6.2.(c)(2) of the MGA, but may exceptionally be assimilated to the costs of purchasing equipment, infrastructure or other asset where the rental/lease is concluded effectively for the lifetime of the equipment during which it will be fully depreciated if justified by: (1) the nature of the action, (2) the context of the use of the equipment or assets and (3) its contribution to the achievement of the specific policy objective of the Call. Every situation will require a case-by-case assessment. The proposal must include some form of infrastructure building or upgrading, equipment installation or deployment, in addition to costs corresponding to the IRU.

In any case, the assessment of the quality of the proposal will consider the infrastructure to be built or upgraded.

The proposal must describe in section 0 of the application form the technical specifications of the planned infrastructure along with the detailed price breakdown, to justify its cost-effectiveness. Any costs for operating the infrastructure during its lifetime and extra components at the landing sites not required for the basic end-to-end connectivity such as data centres, hosting facilities and other services will be excluded under the call. Exceptionally, costs covering construction of the local access network can be eligible in order to take advantage of the reinforced backbone infrastructure, in areas where there is no access network capable of supporting gigabit connectivity and when such infrastructure is unlikely to be developed in the near future. Project costs may include ancillary costs required to construct the local access network if these solutions address the identified market failure and provide a sufficient step change. In such a case, costs related to the deployment or significant improvement of the access network must not exceed 5% of the entire project costs.

Costs related to "smart" cables are in the scope of this call. Where possible, the deployment of "smart" cable systems may enable applications such as:

 Sensing of seismic, volcanic eruptions and tsunami events, giving possibility for an early warning to civil protection;

In particular, Article 52b(4).(d) of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187 26.6.2014, p. 1) declares compatible under certain conditions, without the need of a notification and Decision from the Commission, the co-financing with State aid of certain cross-border sections of a submarine cable network financed under this call or awarded a Seal of Excellence as described in Section 8.

- Monitoring of critical energy (e.g. gas pipes, electric cables) and digital infrastructure which can be disrupted by natural cause, involuntary activity, or sabotage;
- Monitoring of events occurring along roads, railways, waterways that are nearby the deployed "Smart" digital infrastructure;
- Monitoring environmental conditions (e.g. temperature, currents) and marine fauna, for research purposes;
- Gathering information in areas where there are no, or limited means, to observe (e.g. deep waters, arctic region) and analyse data relevant for environmental monitoring, climate change or the observation of endangered species;
- Detection of abnormal events provoked by accidental or deliberate malevolant activity, security threats and detection and prevention of sabotage.

Activities identified as studies¹² are also eligible for funding under this topic when included in a proposal for Works. This includes preparatory work required prior to signing a contract with a supplier, such as marine ground surveys for submarine cables and application for required permits. When applicants submit a proposal to the Works topic which includes studies and works, the studies' component should be necessary for the proposed works. Applicants cannot submit the same studies activities to the two topics (Studies and Works) under this call.

Studies activities should be executed in separate work packages and can then benefit from the funding rate specific for studies (see Form of grant, funding rate and maximum grant amount). Note that the higher funding rate for **works** in outermost regions (see Form of grant, funding rate and maximum grant amount) does not apply to studies activities if included in the same proposal.

Proposals' activities must take place in the eligible countries. Pursuant to Article 16(a) of the CEF Regulation, activities may take place in the territory of third countries and associated expenditures may be eligible if the project of common interest (article 8, article 9 (4) (d) and point 3 of the CEF Regulation Annex Part V^{13}) involves the territory of one or more third countries as referred to in Article 5 or Article 11(5) of this Regulation or international waters. Furthermore, the activities taking place in the third countries shall be indispensable to the achievement of the objectives of the project. The security declaration of the beneficiaries should cover, amongst others, the compliance of the activities performed in the third country/ies with the call security requirements.

Beneficiaries can be operators, utilities, authorities, investors and vendors i.e., entities supplying hardware (including cables, equipment, devices) or systems (including software) that are essential for the project.

Proposals funded under this topic may include synergetic (ancillary) elements relating to another sector of the CEF programme, i.e. energy and transport. When these synergetic elements allow to significantly improve the socio-economic, climate or environmental benefits of the project, funding may be provided as long as the cost of these synergetic elements does not exceed 20% of the total eligible costs of the project.

All proposals must describe, in section 0 of the application form, the ownership of the supported infrastructure after completion of the project and describe the mechanism that will be used to provide services, including business models. In particular, any arrangements foreseen to guarantee the provision of services on a non-discriminatory basis to access seekers, as well as the operational relationship(s) between the different

¹² Article 2(r) of the Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility (OJ L 249, 14.7.2021, p. 38–81).

[&]quot;Furthermore, actions supporting deployment of backbone networks, including with submarine cables across Member States and between the Union and third countries or connecting European islands, pursuant to Article 9(4), point (d), are also supported in order to provide necessary redundancy for such vital infrastructure, and to increase the capacity and resilience of the Union's digital networks."

participants in the value chain for providing services should be elaborated in the proposal.

The evaluation of proposals shall prioritise those offering the higher level of wholesale access to third parties. Proposals must therefore include also in section 0 of the application form a description of whether or how they intend to provide such wholesale access. Amongst others, this description may indicate the range of access products, the duration of the access, the method to determine access prices and the business model implemented (wholesale only or others). These elements will be taken into account in the evaluation of the proposal, in particular to assess its expected impact on competition.

To demonstrate their financial sustainability, proposals must present their financial analysis. The proposals must describe, under the financial gap section of the application form part B, whether the project¹⁴ has other sources of public or private funding, as well as the magnitude of revenues generated over the lifetime of the infrastructure. The financial analysis must be supported by the calculation sheets¹⁵ and credible forecasts.

The applicants furthermore have to describe in detail in the section 5.1 of the application part B the level of market failure observed in the concerned geographical location or route¹⁶, why it is dependent on co-financing to make this project happen (financial gap), and what percentage of co-financing is necessary. To demonstrate how the CEF funding will help overcome the financial gap, the applicants should describe also other possible private, regional, national, EU and international co-funding sources and how they plan to engage them if they have not done it yet.

Moreover, applicants are encouraged to demonstrate in their proposals that:

- (a) the proposal aims to fill a gap in backbone infrastructures, supported by evidence (e.g. mapping), which may address the need to establish new or alternative secure routes, or to increase the capacity and resilience of existing infrastructures, remove risks, vulnerabilities or dependencies on unsecure infrastructures;
- (b) the proposal contributes to a significant increase of the supply chain security through measures to include in the selection of any supplier to ensure the availability of components, technologies, systems and knowhow required in the planning, acquisition, construction, operation, maintenance and repair of the backbone infrastructures;
- (c) the proposal should have geostrategic importance, in view of the interests of the Union and its Member States, notably to ensure a high level of security of the EU backbone infrastructure;
- (d) the proposal fulfils connectivity needs that will not be met by private investments alone, due to the risks involved;
- (e) the proposal combines budget from other funding programmes such as NDICI, ERDF or IPA III;
- (f) the proposal increases the sustainability of backbone infrastructures by reducing their climate, energy and overall environmental impact.

Proposals that address the connectivity needs of a region or the whole EU, integrating complementary routes that improve redundancy and include state-of-the-art

¹⁴ Should the proposal be part of a wider planned infrastructure, the proposal must include all necessary information concerning both the project being proposed as well as the wider planned system.

¹⁵ See section 5, mandatory documents, financial spreadsheet.

A declaration from the coordinator that the planned backbone infrastructure addresses a market failure must be submitted as a mandatory supporting document (see Section 5).

technological solutions, with clear benefits in terms of cost-efficiency and synergy between actors (stakeholders, regions, Member States, etc.), are encouraged. Cooperation with other actors to achieve the aforementioned benefits is encouraged and may be based on the reuse or extension of existing studies or works, sharing or upgrading capacities to fulfil the needs of the concerned stakeholders.

Priority will also be given to proposals with a smaller climate and environmental negative impact among proposals servicing similar areas, or with similar scores.

Digital security requirements

In addition to the criteria set out in Article 200 of the Financial Regulation, article 11 of the CEF Regulation sets out the eligibility conditions for participation to CEF and includes the possibility to restrict participation based on security reasons.

Legal entities established, or deemed to be established, in Member States and directly or indirectly controlled by Member States or by nationals of Member States will be eligible to receive funding under this topic.

The assessment of the foreign (non-EU) control will be addressed in principle during the evaluation of proposals and at the latest during the grant agreement preparation. Participants will be requested to submit an ownership control questionnaire for this purpose to determine their control status. They will also be requested to submit supporting documents in order for the Commission to determine that the entities are not controlled by third countries or nationals of third countries or by entities established in third countries.

In case the ownership control assessment concludes that an entity established in the EU is not controlled from a EU Member State, this entity will be notified of the outcome of the assessment and shall be eligible to participate under the condition that the entity provides security guarantees, approved by the Member State of establishment, within 30 working days of the receipt of the notification or before 7 October 2025 (whichever is earliest). Where entities established in an associated country are EU controlled, security guarantees are not necessary.

Legal entities established in third countries, including associated countries, will exceptionally be eligible where this is indispensable for the achievement of the objectives of a given PCI¹⁷, on the condition that those entities provide security guarantees, approved, on the basis of national law, by the country in which they are established.

The above-mentioned security guarantees shall certify that the legal entity:

- a) Exercises full control over its corporate structure and decision-making process in a manner that does not restrain or restrict in any way its ability to perform and complete the action;
- b) Is not subject to non-eligible third country jurisdiction obligations that may undermine the security of the Union;
- c) Ensures that the results of the CEF funded action shall remain within the beneficiary/beneficiaries and shall not be subject to control or restrictions by non-eligible third countries or non-eligible third country entities during the action and for 10 years after its completion.

Concerning eligible legal entities established in third countries, the "non-eligible third countries" mentioned above under points (b) and (c) should be understood as any third country other than the country of establishment.

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¹⁷ Article 11(5) of the CEF Regulation

All the proposals submitted to this topic must include **security declarations** by the participating entities¹⁸ receiving funding for the deployment of equipment and technologies. The declarations should demonstrate that the network technologies and equipment (including software and services) funded by the project will comply with this call's security requirements, in accordance with the applicable EU law, national law, and EU guidance in place on cybersecurity¹⁹. In addition, where the project provides that network technologies and equipment funded under the project could interconnect (or are part of the same network) with other network technologies and equipment not funded under the project, in a way that could undermine the security of the networks, the requirement to comply with the security requirements of this call shall apply also to any network technology and equipment that would represent a risk as regards the security of networks. Finally, the declaration will confirm that the results of the CEF funded action shall remain within the beneficiary during the action and for 10 years after its completion.

Furthermore, the declarations will ensure that effective measures are in place to address underlying security issues, including, wherever relevant, measures to avoid falling under non-eligible third country jurisdiction obligations, or influence, during the project and for a minimum of 10 years after its completion. The project should also comply with the strictest cybersecurity requirements, imposed by national law, in accordance with the 5G toolbox (where applicable) and other relevant EU guidance, of all the eligible countries where the infrastructure is deployed.

The content of the declarations and commitments in the project proposal will be assessed during the evaluation phase.

Concerning infrastructures connecting the EU with **third countries** and in particular in the case of a project of common interest involving the territory of one or more third country as referred to in Article 5 or 11(5) of the CEF Regulation or international waters, where there are no legal entities established in the associated third countries or in other third countries participating as beneficiaries²⁰, activities taking place in the territory of third countries are eligible upon submission of:

- A security declaration, provided by each applicant in the proposal, that covers the compliance of the digital infrastructure built in the third country territory and in general of the activities performed in the third country with the Call security requirements.
- A security guarantee approved by the third country certifying compliance of the third parties, if any (i.e. subcontractor) involved in the action implementation with similar conditions as for security guarantees obtained in case of inclusion of a third country entity as beneficiary.

Proposals under this topic, in the digital security section in the application form, must address the following risk scenarios and mitigating measures as described in the $\underline{5G}$ networks EU Toolbox of risk mitigating measures:

involvement of high risk suppliers (as defined in the <u>EU coordinated risk</u> assessment on cybersecurity of <u>5G networks</u> and addressed by <u>Commission</u>

¹⁸ In line with Council Decision (EU) 2021/1764 of 5 October 2021, persons and entities established in overseas countries and Territories (OCTs) are eligible for funding subject to the rules and objectives of the CEF and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.

¹⁹ Such as: the Commission Recommendation (EU) 2019/534 of 26 March 2019 Cybersecurity of 5G networks, C/2019/2335; the Report on EU Coordinated Risk Assessment of the Cybersecurity of 5G Networks of 9 October, 2019; the Council Conclusions on the Significance of 5G to the European Economy and the Need to Mitigate Security Risks Linked to 5G of 3 December, 2019; the Cybersecurity of 5G networks - EU Toolbox of Risk Mitigating Measures of 29 January, 2020; and COM(2020)50 of 29 January 2020 on Secure 5G deployment in the EU – implementing the toolbox, and Communication on implementing the 5G cybersecurity Toolbox C(2023)4049 of 15 June 2023.

²⁰ See Exceptional funding in Section 6

communication on the implementation of the 5G cybersecurity toolbox)²¹; restrictions applied against such suppliers for critical and sensitive key assets, and measures to avoid dependency on such high risk suppliers;

- measures to promote supply chain resilience and strategic autonomy (in line with the 5G networks EU Toolbox of risk mitigating measures)²²;
- security requirements for the involved network operators (e.g. strict access controls, rules on secure operation and monitoring, limitations on outsourcing of specific functions, etc.);
- measures adopted to prevent unsolicited transfer to, or access by third parties to data (personal or non-personal) stored or transported via the project infrastructure.

Based on the security declaration in the proposal, as well as the evaluation carried out by independent experts, the Commission or funding body, where appropriate, may carry out a security assessment, including the beneficiaries' suppliers and subcontractors. Funding for actions which do not comply with the conditions related to security issues may be suspended, terminated, or reduced at any time in accordance with the Financial Regulation.

It is also expected that proposals under this topic will be developed in the context of security agreements between the EU and the concerned third countries being connected to the EU.

For further background on security requirements, please see sections 8.2, 8.3 and 8.4 as well as sections 2.2 (paragraph "Strengthen cybersecurity and resilience") and section 4.2.3 of the CEF Digital Work Programme.

Expected impact

The expected benefits go beyond those directly related to supported projects and contribute to bridging the digital divide and ensuring widespread access to Gigabit networks for all EU citizens and businesses. Moreover, this connectivity infrastructure can cross-facilitate the implementation of other topics supported under CEF Digital, such as the availability of HPC-related facilities, etc.

Additionally, the use of data from "smart" cables could have a positive impact for the society in other policy areas such as environmental monitoring (particularly for the climate change), civil protection (for major incidents such as earthquakes and tsunamis).

Key performance indicators for this topic will include: i) the total length of the backbone or, for wireless solutions, the distance between transmission/reception stations, and ii) the additional (significant) transmission capacity created as a result of the projects

As provided in paragraph 8.2 of the Work-Programme, "Cross-border and internal member state infrastructures funded under CEF must comply with the highest security standards because they underpin the entire economy and society and vulnerabilities of those infrastructures can undermine public order and security within the Union. The Second report on Member States' Progress in implementing the EU Toolbox on 5G Cybersecurity, published in June 2023 concluded that there is a "clear risk of persisting dependency on high-risk suppliers in the internal market with potentially serious negative impacts on security for users and companies across the EU and the EU's critical infrastructure. A lack of swift actions by Member States regarding high-risk suppliers could also affect over time the EU consumers and companies' trust in the internal market, and increase the risk of spill-over in case of cyber-attacks, especially where MNOs provide cross-border services and in case it affects critical 5G use cases or other sectors dependent on telecoms.". For these reasons, the Communication on the implementation of the 5G cybersecurity toolbox should apply in this call.

Principles underlined in the 5G cybersecurity toolbox and the related measures apply mutatis-mutandis to backbone infrastructures.

supported by CEF. For submarine cables the number of fibre pairs, the current capacity per fibre pair, as well as the technology chosen and whether the system is repeated or unrepeated should be mentioned in the proposal, too.

For more information about the call, see https://hadea.ec.europa.eu/calls-proposals-en.

2.2 CEF-DIG-2024-GATEWAYS-STUDIES - Backbone connectivity for Digital Global Gateways - Studies

Scope

This topic will support studies for the deployment of backbone connectivity for routes within Member States (including OCTs), between Member States (including OCTs), and between Member States (including OCTs) and third countries which can fit within the scope described in Section 2.1 (CEF-DIG-2024-GATEWAYS-WORKS).

Proposals under this topic shall address studies including the preparatory work required prior to signing a contract with a supplier, such as marine ground surveys for submarine cables and application for required permits.

Activities to be performed in the territory of third countries (target countries) or in international waters, are also eligible (article 16(a) of the CEF Regulation) if considered indispensable to the achievement of the objectives of a given project of common interest in line with CEF Regulation (Article 8 and Article 9(4) (d) and point 3 of Annex Part V of the CEF Annex regulation²³).

Beneficiaries can include (local) operators, utilities, (local) authorities, investors and vendors i.e., entities supplying hardware (including cables, equipment, devices) or systems (including software) that are essential for the performance of the action.

Digital security requirements

In addition to the criteria set out in Article 200 of the Financial Regulation, article 11 of the CEF Regulation sets out the eligibility conditions for participation to CEF and includes the possibility to restrict participation based on security reasons.

Legal entities established, or deemed to be established, in Member States and directly or indirectly controlled by Member States or by nationals of Member States will be eligible to receive funding under this topic.

The assessment of the foreign (non-EU) control will be addressed in principle during the evaluation of proposals and at the latest during the grant agreement preparation. Participants will be requested to submit an ownership control questionnaire for this purpose to determine their control status. They will also be requested to submit supporting documents in order for the Commission to determine that the entities are not controlled by third countries or nationals of third countries or by entities established in third countries.

In case the ownership control assessment concludes that an entity established in the EU is not controlled from a EU Member State, this entity will be notified of the outcome of the assessment and shall be eligible to participate under the condition that the entity provides security guarantees, approved by the Member State of establishment, within 30 working days of the receipt of the notification or before 7 October 2025 (whichever is earliest). Where entities established in an associated country are EU controlled, security guarantees are not necessary.

^{23 &}quot;Furthermore, actions supporting deployment of backbone networks, including with submarine cables across Member States and between the Union and third countries or connecting European islands, pursuant to Article 9(4), point (d), are also supported in order to provide necessary redundancy for such vital infrastructure, and to increase the capacity and resilience of the Union's digital networks."

Legal entities established in third countries, including associated countries, will exceptionally be eligible where this is indispensable for the achievement of the objectives of a given PCI²⁴, on the condition that those entities provide security guarantees, approved, on the basis of national law, by the country in which they are established.

The above-mentioned security quarantees shall certify that the legal entity:

- a) Exercises full control over its corporate structure and decision-making process in a manner that does not restrain or restrict in any way its ability to perform and complete the action;
- b) Is not subject to non-eligible third country jurisdiction obligations that may undermine the security of the Union;
- c) Ensures that the results of the CEF funded action shall remain within the beneficiary/beneficiaries and shall not be subject to control or restrictions by non-eligible third countries or non-eligible third country entities during the action and for 10 years after its completion.

Concerning eligible legal entities established in third countries, the "non-eligible third countries" mentioned above under points (b) and (c) should be understood as any third country other than the country of establishment.

Concerning infrastructures connecting the EU with **third countries** and in particular in the case of a project of common interest involving the territory of one or more third country as referred to in Article 5 or 11(5) of the CEF Regulation or international waters, where there are no legal entities established in the associated third countries or in other third countries participating as beneficiaries²⁵, activities taking place in the territory of third countries are eligible upon submission of:

- A security guarantee approved by the third country certifying compliance of the third parties, if any (i.e. subcontractor) involved in the action implementation with similar conditions as for security guarantees obtained in case of inclusion of a third country entity as beneficiary.

Based on the evaluation carried out by independent experts, the Commission or funding body, where appropriate, may carry out a security assessment, including the beneficiaries' suppliers and sub-contractors. Funding for actions which do not comply with the conditions related to security issues may be suspended, terminated, or reduced at any time in accordance with the Financial Regulation.

It is also expected that proposals under this topic will be developed in the context of security agreements between the EU and the concerned third countries being connected to the EU.

For further background on security requirements, please see sections 8.2, 8.3 and 8.4 as well as sections 2.2 (paragraph "Strengthen cybersecurity and resilience") and section 4.2.3 of the CEF Digital Work Programme.

Expected impact

The expected benefits go beyond those directly related to supported projects and contribute to bridging the digital divide and ensuring widespread access to Gigabit networks for all EU citizens and businesses. Moreover, this connectivity infrastructure

²⁴ Article 11(5) of the CEF Regulation

²⁵ See Exceptional funding in Section 6

can cross-facilitate the implementation of other topics supported under CEF Digital, such as the availability of HPC-related facilities, etc.

For more information about the call, see https://hadea.ec.europa.eu/calls-proposals-en.

3. Available budget

The estimated available call budget is **EUR 128 000 000**. This budget might be increased provided that the total additional budget cumulatively allocated to the topic across all calls of the work programme is lower than 20% of the total budget of the multiannual plan.

We reserve the right not to award all available funds, depending on the proposals received and the results of the evaluation.

4. Timetable and deadlines

Timetable and deadlines (indicative)		
Call opening:	22 October 2024	
Deadline for submission:	13 February 2025 - 17:00:00 CET March - May 2025	
Evaluation:		
Information on evaluation results:	Summer 2025	
GA signature:	Autumn 2025	

5. Admissibility and documents

Proposals must be submitted before the call deadline (see timetable section 4).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the <u>Search Funding & Tenders</u> section). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System ($\stackrel{\bullet}{\blacksquare}$ NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (to be filled in directly online)
- Application Form Part B contains the technical description of the project (to be downloaded from the Portal Submission System, completed, then assembled, and re-uploaded)

- Part C (to be filled in directly online, for Works topic only) containing additional project data
- mandatory annexes and supporting documents (to be uploaded):
 - detailed budget table per WP (template available in the Submission System)
 - activity reports of last year (unless exempted from operational capacity check; see section 7)
 - list of previous projects (key projects for the last 4 years) (template available in Part B)
 - timetable/Gantt chart (template available in the Submission System)
 - letters of support from all MS benefitting from the project (MS agreement) (template available in the Submission System²⁶)
 - ownership control questionnaire, including for subcontractors and associated partners²⁷ (template available in the Submission System)
 - security declarations signed by the participating entities (for Works proposals only)
 - security guarantees approved by the respective authorities of the associated third country or other third country, in case of third country entities participation (template available in the Submission System).

Exceptionally, should a third country require more time to provide its approval, the applicants must submit, by the call deadline, a copy of the security guarantee and the acknowledgment of receipt of the request by the third country. In this case, the security guarantees approved by the third country must be sent by the proposal coordinator to https://doi.org/10.1001/journal.com/habea-cef-DIGITAL-CALLS@ec.europa.eu by 11 April 2025, 17:00:00 (Brussels time) at the latest, identified with the proposal ID in the email subject.

- declaration from the coordinator, on behalf of the consortium, that the planned backbone infrastructure addresses a market failure in terms of lack of redundancy, capacity or another type of market failure as described in section 2 (to be uploaded in the Submission System in "Other annexes")
- business plan financial spreadsheet (for Works proposals only, template available in the Submission System)
- other annexes.

Please note that the amounts entered into the summarised budget table (filled in directly online) must correspond to the amounts calculated in the detailed budget table. In case of discrepancies, the amounts in the online summarised budget table will prevail.

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover, you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity,

²⁶ The list of the national contact points can be found here: <u>National Contact Points (europa.eu)</u>

²⁷ If not provided at submission stage, the ownership control questionnaire for subcontractors will be requested later during the grant agreement implementation in order to perform the ownership control assessment.

exclusion, etc.). Before signing the grant, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be readable, accessible and printable.

Proposals are limited to maximum **120 pages** (Part B). Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (for legal entity validation, financial capacity check, bank account validation, etc.).

For more information about the submission process (including IT aspects), consult the Online Manual.

6. Eligibility

Applications will only be considered eligible if their content corresponds wholly (or at least in part) to the topic description for which they are submitted.

Eligible participants (eligible countries)

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

- be legal entities (public or private bodies)
- be established in one of the eligible countries, i.e.:
 - EU Member States including Overseas Countries and Territories (OCTs)
 - non-EU countries (except for topics with restrictions; see below):
 - countries associated to the CEF Programme or countries which are in ongoing negotiations for an association agreement and where the agreement enters into force before grant signature (<u>list of participating countries</u>)²⁸

Beneficiaries and affiliated entities must register in the <u>Participant Register</u> — before submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status and origin.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc. (see section 13).

Please note however that this call is subject to restrictions due to security reasons. This means that only the following countries are eligible: EU Member States.

Moreover:

²⁸ See Art 5.2 of CEF Regulation 2021/1153: the third countries associated to CEF and entities established in those countries, may not receive financial assistance under CEF except where it is indispensable to the achievement of the objectives of a given project of common interest or a project in accordance with Article 7(1) of this Regulation and under the conditions set in the work programme. In addition, the eligibility of associated countries is conditional to the entry into force of the Association Agreement by ratification by the respective national parliaments.

- participation in any capacity (as beneficiary, affiliated entity, associated partner, subcontractor or recipient of financial support to third parties) is limited to entities from eligible countries (see conditions for PCI involving the territory of one or more third country in Section 2);
- project activities (included subcontracted work) must take place in eligible and target countries (see section geographic location below and section 10);
- the Grant Agreement may provide for IPR restrictions (see section 10).

Specific cases

Exceptional funding — Entities from other countries (not listed above) are exceptionally eligible for projects of common interest, if the granting authority considers their participation essential for the implementation of the action.

Natural persons — Natural persons are NOT eligible (with the exception of self-employed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person).

International organisations — International organisations²⁹ are eligible. The rules on eligible countries do not apply to them.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons³⁰.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) can NOT be part of the consortium.

Countries currently negotiating association agreements —Beneficiaries from countries with ongoing negotiations for participating in the programme (see list of participating countries above) may participate in the call and can sign grants if the negotiations are concluded before grant signature and if the association covers the call (i.e. is retroactive and covers both the part of the programme and the year when the call was launched).

EU restrictive measures — Special rules apply for certain entities (e.g. entities subject to EU restrictive measures under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU) 31 and entities covered by Commission Guidelines No 2013/C $205/05^{32}$). Such entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

Following the <u>Council Implementing Decision (EU) 2022/2506</u>, as of 16th December 2022, no legal commitments (including the grant agreement itself as well as subcontracts, purchase contracts, financial support to third parties etc.) can be signed with Hungarian public interest trusts established under Hungarian Act IX of 2021 or any

An 'international organisation' means an intergovernmental organisation (other than the EU) with legal personality under international public law (including specialised agencies — with or without legal personality — set up by international organisations and referred to in Article 159(1) EU Financial Regulation 2024/2509.
 See Article 200(2)(c) EU Financial Regulation 2024/2509.

Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the EU Sanctions Map.

³² Commission guidelines No 2013/C 205/05 on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJEU C 205 of 19.07.2013, pp. 9-11).

entity they maintain. Affected entities may continue to apply to calls for proposals. However, in case the Council measures are not lifted, such entities are not eligible to participate in any funded role (beneficiaries, affiliated entities, subcontractors, recipients of financial support to third parties). In this case, co-applicants will be invited to remove or replace that entity and/or to change its status into associated partner. Tasks and budget may be redistributed accordingly".

For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment and</u> Financial Capacity Assessment.

Consortium composition

There are no specific eligibility conditions concerning consortium composition for this call.

Eligible activities

Eligible activities are the ones set out in section 2 above.

Projects should take into account the results of projects supported by other EU funding programmes. The complementarities must be described in the project proposals (Part B of the Application Form).

Projects must comply with EU policy interests and priorities (such as environment, social, security, industrial and trade policy, etc.).

Financial support to third parties is not allowed.

Geographic location (target countries)

Proposals must relate to activities taking place in the eligible countries (see above). Section 2 above provides the conditions for the cases where activities may take place in third countries and the related expenditure may be eligible pursuant to Article 16 (a) of the CEF Regulation.

Duration

Projects should normally be up to 36 months (extensions are possible, if duly justified and through an amendment).

Project budget

The maximum requested grant amount should not be higher than EUR 20 000 000 per project for the works topic, and EUR 5 000 000 per project for the studies topic.

In exceptional cases, proposals combining complementary projects, which may come from different promoters, to achieve a greater geographical reach and avoid overlapping segments may benefit from a higher grant amount, not exceeding however EUR 60 000 000. This would need to be justified through a greater impact (e.g. substantially higher geographical scale, etc.) and catalytic effect (e.g. synergy between different promoters resulting in substantial cost-efficiency gains).

The grant awarded may be lower than the amount requested.

7. Financial and operational capacity and exclusion

Financial capacity

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents you will be requested to upload in the <u>Participant Register</u> during grant preparation (e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc.). The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all beneficiaries, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations
- if the individual requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that your financial capacity is not satisfactory, we may require:

- further information
- an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (see below, section 10)
- prefinancing paid in instalments
- (one or more) prefinancing guarantees (see below, section 10)

or

- propose no prefinancing
- request that you are replaced or, if needed, reject the entire proposal.

For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment and</u> Financial Capacity Assessment.

Operational capacity

Applicants must have the **know-how, qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed together with the 'Quality' award criterion (see Section 9 – Award criteria), on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

If the evaluation of this award criterion is positive, the applicants are considered to have sufficient operational capacity.

Applicants will have to show their operational capacity via the following information:

- description of the consortium participants
- applicants' activity reports of last year

list of previous projects (key projects for the last 4 years).

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

Public bodies, Member State organisations and international organisations are exempted from the operational capacity check.

Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate³³:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct³⁴ (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision-making- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No 2988/95 (including if done by persons having powers of representation, decision-making- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- created under a different jurisdiction with the intent to circumvent fiscal, social
 or other legal obligations in the country of origin or created another entity with
 this purpose (including if done by persons having powers of representation,
 decision-making- or control, beneficial owners or persons who are essential for
 the award/implementation of the grant).

Applicants will also be refused if it turns out that³⁵:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

See Articles 138 and 143 of EU Financial Regulation 2024/2509.

Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to influence decisionmaking processes or obtain confidential information from public authorities to gain advantage.

³⁵ See Article 143 EU Financial Regulation 2024/2509.

8. Evaluation and award procedure

The proposals will have to follow the **standard submission and evaluation procedure** (one-stage submission + one-step evaluation).

An **evaluation committee** (assisted by independent outside experts) will assess all applications. Proposals will first be checked for formal requirements (admissibility, and eligibility, see sections 5 and 6). Proposals found admissible and eligible will be evaluated for each topic against the operational capacity (see section 7) and award criteria (see section 9). The award criteria are evaluated in 3 phases: individual evaluation, consensus phase and panel review and proposals are then ranked according to their scores.

For proposals with the same score (within a topic or budget envelope) a **priority order** will be determined according to the following approach:

- 1. Score obtained under the 'Priority and urgency' criterion
- 2. Score obtained under the 'Maturity' criterion
- 3. Score obtained under the 'Catalytic effect' criterion
- 4. Score obtained under the 'Impact' criterion
- 5. Score obtained under the 'Quality' criterion.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; the other ones will be put on the reserve list or rejected. Proposals that are below the budget threshold (i.e. passed, but not ranked high enough to receive funding) will be awarded a **Seal of Excellence**.

No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: legal entity validation, financial capacity, exclusion check, etc.

Grant preparation will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are considered to have been accessed and that deadlines will be counted from opening/access (see also <u>Funding & Tenders Portal Terms and Conditions</u>). Please also be aware that for complaints submitted electronically, there may be character limitations.

9. Award criteria

The **award criteria** for this call are as follows:

 Priority and urgency: evaluating correspondence of the proposal with the sectoral policy objectives and priorities, measuring its EU-added value and, where applicable, assessing the possible synergies with other sectors or CEF Digital topics and, where applicable, ensuring a geographical balance of the CEF digital support in the respective area. (5 points)

- Maturity: assessing the maturity of the action in the project development. The criterion will measure, among others, i) the readiness and ability of the project to start by the proposed start date and to complete by the proposed end date, ii) the status and planning of the contracting procedures and of the necessary permits, and iii) information on the financial availability needed to complement the CEF investment. (5 points)
- Quality: evaluating the soundness of the implementation plan proposed, both from the technical and financial point of view, the architecture and design approach, the organisational structures put in place (or foreseen) for the implementation, the risk analysis, the control procedures and quality management and the communication strategy of the applicant. Moreover, when applicable, it will also assess the information related to the operations/maintenance strategy proposed for the completed project. (5 points)
- Impact: assessing, when applicable, the economic, social, competition and environmental impact, including the climate impact, and other relevant externalities. This criterion may be substantiated by a Cost Benefit Analysis (CBA), in which case the evaluation will look at the soundness, comprehensiveness, and transparency of the analysis as well as proposed means to monitor its impact. The criterion will also assess, where applicable, the safety, security, cybersecurity of electronic communication networks, interoperability and accessibility aspects of the proposal, innovation and digitalisation, its crossborder dimension, and contribution to network integration and territorial accessibility, including in particular for Outermost Regions and islands. assess, criterion will where Moreover, applicable, potential complementarities with other public funding programmes. (5 points)
- Catalytic effect: evaluating the effect of the EU financial assistance on the realisation of the project, for instance by i) overcoming a financial gap generated by insufficient commercial viability and high upfront costs; or ii) increasing the capacity to mobilise differentiated investments sources and address the lack of market finance; or iii) improving the quality or the scope/size of the project; or iv) accelerating the overall investment plan. (5 points)

Award criteria	Minimum pass score	Maximum score
Priority and urgency	3	5
Maturity	3	5
Quality	3	5
Impact	3	5
Catalytic effect	3	5
Overall (pass) scores	15	25

Maximum points: 25 points.

Individual thresholds per criterion: 3/5, 3/5, 3/5, 3/5 and 3/5 points.

Overall threshold: 15 points.

Proposals that pass the individual thresholds AND the overall threshold will be considered for funding — within the limits of the available budget (i.e. up to the budget ceiling). Other proposals will be rejected.

10. Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and quidance documents) can be found on Portal Reference Documents.

Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement ($Data\ Sheet$, $point\ 1$). Normally the starting date will be after grant signature. Retroactive application can be granted exceptionally for duly justified reasons — but never earlier than the proposal submission date.

Project duration: See Section 6 above.

Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

Beneficiaries will also be invited to check and update information about output indicators.

Form of grant, funding rate and maximum grant amount

The grant parameters (maximum grant amount, funding rate, total eligible costs, etc) will be fixed in the Grant Agreement (Data Sheet, point 3 and art 5).

Project budget (maximum grant amount): see section 6 above.

The grant will be a budget-based mixed actual cost grant (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and costs that were actually incurred for your project (NOT the budgeted costs). For unit costs and flat-rates, you can charge the amounts calculated as explained in the Grant Agreement (see art 6 and Annex 2 and 2a).

The costs will be reimbursed at the funding rates fixed in the Grant Agreement (maximum **50%** for the costs of studies, maximum **70%** for the costs of works in outermost regions³⁶, and maximum **30%** for all other costs categories ('project funding rate')).

You can apply for a higher project funding rate if your project concerns:

³⁶ Not applicable for "studies" in a works proposal, which are funded at 50%.

strong cross-border dimension³⁷: maximum 50%.

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs) during the project duration. For-profit organisations must declare their revenues and, if there is a profit, we will deduct it from the final grant amount (see art 22.3).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (e.g. improper implementation, breach of obligations, etc.).

Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (Data Sheet, point 3, art 6 and Annex 2).

Budget categories for this call:

- A. Personnel costs
 - A.1 Employees,
 - A.2 Natural persons under direct contract,
 - A.3 Seconded persons
 - A.4 SME owners and natural person beneficiaries
- B. Subcontracting costs
- C. Purchase costs
 - C.1 Travel and subsistence
 - C.2 Equipment
 - C.3 Other goods, works and services
- D. Other cost categories
 - D.1 Financial support to third parties
 - D.2 Studies
 - D.3 Synergetic elements
 - D.4 Works in outermost regions
- E. Indirect costs

Specific cost eligibility conditions for this call:

- personnel costs:
 - average personnel costs (unit cost according to usual cost accounting practices): Yes
 - SME owner/natural person unit cost³⁸: Yes
- subcontracting costs:

³⁷ According to Article 15(4) of the CEF Regulation, a cross-border project entails the deployment of backbone networks between Member States, and between the Union and third countries. Applicants must therefore describe in the application form Part B, Section 1.3, the cross-border dimension of the project, i.e. which countries are involved and the geographical area on which the deployed infrastructure would have an impact (for instance in terms of enabling new cross-border services, strengthening trade relations, improving mobility, etc.).

Commission <u>Decision</u> of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

- country restrictions for subcontracting costs: Yes, subcontracted work must be performed in the eligible countries or target countries
- travel and subsistence unit cost³⁹: No (only actual costs)
- equipment costs: full cost
- other cost categories:
 - costs for financial support to third parties: not allowed
 - studies: Yes
 - synergetic elements: Yes
 - works in outermost regions: Yes
 - land purchases: No
- indirect cost flat-rate :0% of the eligible direct costs (categories A-D, except volunteers costs, if any)
- VAT: VAT is NOT eligible
- other:
 - in-kind contributions for free are allowed, but cost-neutral, i.e. they cannot be declared as cost
 - project websites: communication costs for presenting the project on the participants' websites or social media accounts are eligible; costs for separate project websites are not eligible
 - eligible cost country restrictions: Yes, only costs for activities carried out in eligible countries or target countries are eligible
 - other ineligible costs: Yes, costs related to purchase of land

Please be aware that in case of significant changes to the circumstances that have an impact on the project budget, you may be asked to request an amendment to reduce the maximum grant amount. If you do not comply with this request, we may have to terminate the grant and reduce it from our side (see art 28 and 32).

Similarly, you may be asked to request an amendment to reduce the maximum grant amount, if your project encounters major delays during the project implementation. If you do not comply with this request, we may have to terminate the grant (see art 28 and 32).

Reporting and payment arrangements

The reporting and payment arrangements are fixed in the Grant Agreement (Data Sheet, point 4 and art 21 and 22).

After grant signature, you will normally receive a **prefinancing** to start working on the project. The amount will be established based on the grant type or estimated project duration at the time of grant signature and will be up to 30% of the maximum grant amount. The prefinancing will be paid 30 days from entry into force/financial guarantee (if required — whichever is the latest).

³⁹ Commission <u>Decision</u> of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

There may be **one or more interim payments** (with detailed cost reporting).

In addition, you may be expected to submit one or more progress reports not linked to payments.

Payment of the balance: At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us — in line with the conditions set out in the Grant Agreement (see art 22).

Please note that you are responsible for keeping records on all the work done and the costs declared.

Prefinancing quarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (*Data Sheet, point 4*). The amount will be set during grant preparation and it will normally be equal or lower than the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are normally requested from the coordinator, for the consortium. They must be provided during grant preparation, in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement (art 23).

<u>Certificates</u>

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the grant agreement (Data Sheet, point 4 and art 24).

Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (Data Sheet point 4.4 and art 22).

For beneficiaries, it is one of the following:

- limited joint and several liability with individual ceilings each beneficiary up to their maximum grant amount
- unconditional joint and several liability each beneficiary up to the maximum grant amount for the action

individual financial responsibility — each beneficiary only for their own debts.

In addition, the granting authority may require joint and several liability of affiliated entities (with their beneficiary).

Provisions concerning the project implementation

Security rules: see Model Grant Agreement (art 13 and Annex 5)

IPR rules: see Model Grant Agreement (art 16 and Annex 5):

rights of use on results: Yes

Communication, dissemination and visibility of funding: see Model Grant Agreement (art 17 and Annex 5):

- communication and dissemination plan: No
- additional communication and dissemination activities: Yes
- special logos: No

Specific rules for carrying out the action: see Model Grant Agreement (art 18 and Annex 5):

- Member State information: Yes
- specific rules for digital infrastructure projects: Yes
- durability: Yes
- specific rules for blending operations: No
- special obligations linked to restrictions due to security
 - implementation in case of restrictions due to security: Yes

Other specificities

n/a

Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).



For more information, see <u>AGA — Annotated Grant Agreement</u>.

11. How to submit an application

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a 2-step process:

a) create a user account and register your organisation

To use the Submission System (the only way to apply), all participants need to create an EULogin user account.

Once you have an EULogin account, you can <u>register your organisation</u> in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

b) submit the proposal

Access the Electronic Submission System via the Topic page in the <u>Search Funding & Tenders</u> section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 4 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online
- Part B (description of the action) covers the technical content of the proposal.
 Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file
- Part C containing additional project data (for Works proposals only). To be filled in directly online.
- Annexes (see section 5). Upload them as PDF file (single or multiple depending on the slots; the budget table and business plan financial spreadsheet can be uploaded as Excel file).

The proposal must keep to the **page limits** (see section 5); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (see section 4). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a **confirmation e-mail** (with date and time of your application). If you do not receive this confirmation e-mail, it means your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the <u>IT Helpdesk webform</u>, explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the <u>Online Manual</u>. The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

12. Help

As far as possible, *please try to find the answers you need yourself*, in this and the other documentation (we have limited resources for handling direct enquiries):

- Online Manual
- Topic Q&A on the Topic page (for call-specific questions in open calls; not applicable for actions by invitation)
- Portal FAQ (for general questions).

call information on the HaDEA website.

Please also consult the Topic page regularly, since we will use it to publish call updates.

Contact

For individual questions on the Portal Submission System, please contact the ${\color{red} {\rm IT}}$ Helpdesk.

Non-IT related questions should be sent to the following email address: <u>HADEA-CEF-DIGITAL-CALLS@ec.europa.eu</u>. Please submit your questions⁴⁰ no later than 10 days before the submission deadline. Questions received after 4 February 2025 may not be answered.

Please indicate clearly the reference of the call and topic to which your question relates (see cover page).

 40 Interested applicants are invited to see first if a question is already answered from the existing Topic Q&A published on the Funding & Tenders Portal.

13. Important



IMPORTANT

- Don't wait until the end Complete your application sufficiently in advance of the
 deadline to avoid any last minute technical problems. Problems due to last minute
 submissions (e.g. congestion, etc.) will be entirely at your risk. Call deadlines can
 NOT be extended.
- **Consult** the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- **Funding & Tenders Portal Electronic Exchange System** By submitting the application, all participants **accept** to use the electronic exchange system in accordance with the Portal Terms & Conditions.
- **Registration** Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the <u>Participant Register</u>. The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- **Consortium roles** When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.
 - The roles should be attributed according to the level of participation in the project. Main participants should participate as **beneficiaries** or **affiliated entities**; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. **Associated partners** and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding).
- **Coordinator** In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- **Affiliated entities** Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- **Associated partners** Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- Consortium agreement For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes.

- **Balanced project budget** Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (e.g. own contributions, income generated by the action, financial contributions from third parties, etc). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **Completed/ongoing projects** Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before the project starting date/proposal submission).
- **No-profit rule** Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- No cumulation of funding/no double funding It is strictly prohibited to cumulate funding from the EU budget (except under 'EU Synergies actions'). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances be declared under two EU grants. If you would like to nonetheless benefit from different EU funding opportunities, projects must be designed as different actions, clearly delineated and separated for each grant (without overlaps).
- **Combination with EU operating grants** Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see AGA Annotated Grant Agreement, art 6.2.E).
- **Multiple proposals** Applicants may submit more than one proposal for *different* projects under the same call (and be awarded funding for them).
 - Organisations may participate in several proposals.
 - BUT: if there are several proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw the others (or they will be rejected).
- Resubmission Proposals may be changed and re-submitted until the deadline for submission.
- **Rejection** By submitting the application, all applicants accept the call conditions set out in this this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be **rejected**. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- Language You can submit your proposal in any official EU language (project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, see section 12).

• **Transparency** — In accordance with Article 38 of the <u>EU Financial Regulation</u>, information about EU grants awarded is published each year on the <u>Europa website</u>.

This includes:

- beneficiary names
- beneficiary addresses
- the purpose for which the grant was awarded
- the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

• **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the Funding & Tenders Portal Privacy Statement.