



Technical assistance at the initiative of the Commission for ERDF, CF and JTF (ERDF-TA)

Call for proposals

Support to Ukraine and Moldova border regions through the development of structural cooperation for the implementation of joint activities (ERDF-TA-2024-SUPPORTUMBR)

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CALL FOR PROPOSALS

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0. Introduction

This is a call for proposals for EU action grants in the field of regional policy, under Technical assistance at the initiative of the Commission for ERDF, CF and JTF.

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

- Regulation 2024/2509 (<u>EU Financial Regulation</u>¹)
- the basic act (ERDF Regulation 2021/10582).

The call is launched in accordance with the 2024 Work Programme annexed to the 2024 Technical Assistance Financing Decision³ and its Modification⁴, and will be managed by the **European Commission**, **Directorate-General for Regional and Urban Policy**.

The call covers the following topic:

 ERDF-TA-2024-SUPPORTUMBR — Support to Ukraine and Moldova border regions through the development of structural cooperation for the implementation of joint activities

We invite you to read the **call documentation** carefully, and in particular this Call document, the Model Grant Agreement, the <u>EU Funding & Tenders Portal Online Manual</u> and the <u>EU Grants AGA</u> — Annotated Grant Agreement.

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

- the Calls for proposals document outlines the:
 - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)

Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast) ('EU Financial Regulation') (OJ L, 2024/2509, 26.9.2024).

Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (OJ L 231, 30.6.2021, p. 60–93).

Commission Implementing Decision C(2024) 724 final of 07 February 2024 concerning the financing of the use of technical assistance at the initiative of the Commission in the framework of the European Regional Development Fund, the Cohesion Fund and the Just Transition Fund and the adoption of the annual work programme for 2024.

⁴ Modification of the 2024's Technical Assistance Financing Decision, in the framework of the ERDF, the Cohesion Fund, REACT-EU and the Just Transition Fund (incl. NGEU) – C(2024) 6365

- 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 you will have to sign in order to obtain the grant (including cost eligibility, payment schedule, accessory obligations, etc).

You are also encouraged to visit the <u>Inforegio website</u> to consult the types of projects funded.

1. Background

Ukraine and the Republic of Moldova (hereinafter 'Moldova') have become EU candidate countries and accession negotiations opened on 25 June 2024.

At the same time, both countries have been ever more active in Interreg cooperation programmes. In the 2021-2027 programming period, Ukraine participates in three cross-border (Poland-Ukraine, Romania-Ukraine, Hungary-Slovakia-Romania-Ukraine) and two transnational programmes (Danube Region, Black Sea Basin). Moldova participates in one cross-border (Romania-Moldova) and two transnational programmes (Danube Region, Black Sea Basin). In addition, both have been recently included in two interregional programmes (Interreg Europe, URBACT).

The involvement of the two countries in Interreg cooperation programmes benefits both countries as they gain access to EU cohesion policy and get acknowledged with its principles. Local and regional authorities, non-governmental organisations and other stakeholders have the opportunity to already cooperate with their counterparts in Member States and prepare for the implementation of cohesion policy in the future.

However, one gap remains as regards cross-border cooperation between the two candidate countries themselves. This action aims to fill precisely this gap where cooperation activities are not covered by any other programme and will therefore extend the scope of eligible stakeholders and regions benefitting from cross-border cooperation and creating meaningful joint projects along their common border.

Local actors (municipalities, regions, NGOs, etc.) in bordering regions between Ukraine and Moldova could therefore receive the support needed to organise their mutual

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cooperation and establish people-to-people networks in a variety of fields, gaining therefore in capacity, also needed in their path to accession, in particular regarding cohesion policy.

Objectives — Themes and priorities — Activities that can be funded — Expected impact

ERDF-TA-2024-SUPPORTUMBR — **Support to Ukraine and Moldova border regions** through the development of structural cooperation for the implementation of joint activities

Objectives

The objective is to enhance administrative capacity of Ukrainian and Moldovan public sector authorities and civil society organisations from Ukraine and Moldova in the border area, through their active participation in a specific cross-border cooperation mechanism mirroring the selection and implementation of projects of limited financial volume under Article 25 of the Interreg Regulation (hereinafter 'Interreg')⁵.

The proposals submitted by the applicants to this call must ensure the objective is achieved via the establishment of a steering committee, in compliance with the partnership principle as defined in Article 8 of the Common Provisions Regulation (hereinafter 'CPR')⁶, which will in turn select projects of limited financial volume and provide sub-grants for their realisation (referred to as 'financial support to third parties' in section 6) for the development of cross-border cooperation between Ukraine and Moldova.

In this way, this technical assistance action will operate in a similar manner to an Interreg cross-border cooperation programme between Ukraine and Moldova.

Themes and priorities (scope)

The action aims at funding a) the establishment and functioning of an operational steering committee composed of relevant Ukrainian and Moldovan public sector authorities and civil society organisations; b) the delivery of tasks linked to the support of development of cross-border cooperation between Ukraine and Moldova; and c) the financial support to third parties for the delivery of projects.

The territorial scope of the action aims to cover the cross-border region between Moldova and Ukraine. This "cross-border area" will include the whole country of Moldova and the following oblasts of Ukraine: Chernivtsi, Khmelnytskyy, Vinnytsya, Odessa, and where justified, the following oblasts: Cherkassy, Kirovohrad, Mykolayiv. Third parties from other oblasts of Ukraine may participate in sub-grants provided that their contribution benefits the cross-border area as defined above.

Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (OJ L 231, 30.6.2021, p. 94).

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

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The eligible themes related to the objectives of this call are those defined in the cohesion policy regulatory framework, namely the policy objectives listed in Article 5 CPR and the Interreg specific objectives in Article 14 Interreg Regulation.

Financial support to third parties shall be provided to the largest possible extent: the majority of projects should receive funding up to EUR 10,000, while a smaller number of projects, when justified by their nature and objectives, may be granted up to EUR 50,000. The number of projects in each group cannot be defined in advance, as it will be dependent on the project applications received.

Activities that can be funded (scope)

The activities are mainly twofold: 1) establish a mechanism involving local and regional authorities, municipalities or civil society organisations from Ukraine and Moldova on an equal basis with the aim of selecting joint cross-border projects, 2) implement, monitor and promote the implementation of joint cross-border projects of limited financial volume.

The successful grant beneficiary will be expected to deliver the following activities:

- Activities related to the establishment of an organisational structure under the responsibility of the grant beneficiary that will implement the preparation, delivery, promotion and monitoring of cross-border cooperation projects between Ukraine and Moldova.
- Activities related to the establishment of a steering committee (mirroring the composition of monitoring committee in Interreg cooperation programmes as provided for in Article 29 Interreg).
- Communication activities linked to the publication of information on the possibility to receive support for joint projects in line with the decision of the steering committee.
- Activities related to the development of a detailed manual for applicants in the national languages that will include *inter alia* the scope of eligible activities, the procedure of project selection, the selection criteria, conditions for project implementation, monitoring and visibility.
- Activities related to continuous technical support to applicants during preparation of their cross-border project proposals with a view to developing joint Ukrainian and Moldovan projects having a cross-border impact benefitting the cross-border area as set out in section 2.
- Activities related to the preparation of the work of the steering committee, in particular the preparation of documents linked to the sub-granting (the drafting of the call for proposals with conditions for selection and funding; the publication of the call and the promotion/visibility of the call); the preparation for the assessment/evaluation of the submitted project proposals and check of their compliance with the predefined selection criteria, and the creation of a ranking list of projects that will be supported by the available budget; the conclusion of contracts with successful project partners and provision of the pre-determined financial support (payments) to third entities and arrangements to provide continuous support during implementation of projects, including meeting deadlines and delivering contractual outputs. This includes also the establishment of proper financial management procedures to ensure financial flows towards the selected project partners, control and audit of the use of EU

funds.

- Activities related to the monitoring of implementation of the selected projects for sub-grants, the adequate audit trail and the final reporting on the implementation of this action.
- Production of analysis and publications for the dissemination of the results of the action, namely fostering its multiplication effect.

Expected impact

With this action, the local and regional authorities, municipalities, civil society organisations and other stakeholders will increase their capacities and knowledge in preparing and delivering cross-border cooperation projects. The stakeholders will gain experience with the EU cohesion policy approach towards regional development, and they will themselves implement a series of joint cross-border projects to improve the social, territorial and economic cohesion of the cross-border area between Ukraine and Moldova.

3. Available budget

The estimated available call budget is **EUR 2 000 000**.

Specific budget information per topic can be found in the table below:

Topic	Topic budget
1 — ERDFTA-2024-SUPPORTUMBR	EUR 2 000 000

We expect to fund 1 project.

We reserve the right not to award all available funds or to redistribute them between the call priorities, depending on the proposals received and the results of the evaluation.

4. Timetable and deadlines

Timetable and deadlines (indicative)	and deadlines (indicative)		
Call opening:	04 December 2024		
Deadline for submission:	04 February 2025 - 17:00:00 CET (Brussels)		
Evaluation:	February-March 2025		
Information on evaluation results:	March-April 2025		
GA signature:	April-May 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>Calls for proposals</u> section). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System (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 (template to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded)
- mandatory annexes and supporting documents (templates to be downloaded from the Portal Submission System, completed, assembled and reuploaded):
 - detailed budget table: not applicable
 - CVs (standard) of core project team
 - activity reports of last year
 - list of previous projects (key projects for the last 4 years) (template available in Part B

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 all participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, 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** (please check carefully the layout of the documents uploaded).

Proposals are limited to maximum **70 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

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:
 - Ukraine
 - Republic of Moldova
- not be authorities in charge of the implementation of cohesion policy within the meaning of Article 71 of the CPR Regulation <u>2021/1060</u>.

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).

Specific cases and definitions

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 organisations 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 persons⁷.

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

Associations and interest groupings — Entities composed of members may participate as 'sole beneficiaries' or 'beneficiaries without legal personality'⁸. Please note that if the action will be implemented by the members, they should also participate (either as beneficiaries or as affiliated entities, otherwise their costs will NOT be eligible).

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).

⁷ See Article 200(2)(c) EU Financial Regulation 2024/2509.

For the definitions, see Articles 190(2) and 200(2)(c) EU Financial Regulation 2024/2509.

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EU restrictive measures — Special rules apply for entities subject to <u>EU restrictive</u> <u>measures</u> under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)⁹. 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).

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

Consortium composition

n/a

Eligible activities

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 activities are the ones set out in section 2 above.

The following activities are not considered as eligible for funding under this call:

- activities that are excluded from the scope of the ERDF according to Article 7 of the ERDF Regulation
- activities that do not comply with the do no significant harm principle.

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). Projects must also respect EU values and European Commission policy regarding reputational matters (e.g. activities involving capacity building, policy support, awareness raising, communication, dissemination, etc)¹⁰.

Financial support to third parties is allowed for grants under the following conditions:

- the calls must be open, published widely and conform to EU standards concerning transparency, equal treatment, conflict of interest and confidentiality
- the calls must remain open for at least two months
- the outcome of the call must be published on the participants' websites, including a description of the selected projects, award dates, project durations, and final recipient legal names and countries
- the calls must have a clear European dimension.

Financial support to third parties is to be provided to projects which have a cross-border nature and benefit the cross-border area as per section 2. Specific thematic delimitation will be further decided on by the steering committee to be set up in the context of this action. Financial support to third parties should not exceed EUR 50 000 per project and

⁹ 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.

See, for instance, Guidance on funding for activities related to the development, implementation, monitoring and enforcement of Union legislation and policy.

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should be provided in different tranches, including pre-financing to allow sufficient liquidity to partners. The majority of financial support to third parties will be up to EUR 10 000 and a smaller number projects, when justified by their nature and objectives, may be granted up to EUR 50 000.

Geographic location (target countries)

Proposals must relate to activities taking place in the eligible countries for the benefit of the border regions between Moldova and Ukraine (see section 2 above).

Duration

Project should not exceed 48 months.

Extensions are possible, if duly justified and through an amendment.

Project budget

Project budget (requested grant amount) is expected to reach maximum of EUR 2 000 000.

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

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request that you are replaced or, if needed, reject the entire proposal.

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

Operational capacity

Applicants must have the **know-how**, **qualifications** and **resources** to successfully implement the project 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, 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 the award criterion is positive, the applicants are considered to have sufficient operational capacity.

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

- general profiles (qualifications and experiences) of the staff responsible for managing and implementing the project
- description of the consortium participants
- applicants' activity reports of last year
- list of previous projects (key projects for the last 4 years; template available in Part B).

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 CANNOT participate¹¹:

- 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 misconduct¹² (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,

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 decision-making processes or obtain confidential information from public authorities to gain advantage.

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 EU Regulation 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 rejected if it turns out that 13:

- 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).

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** 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 against the operational capacity and award criteria (*see sections 7 and 9*) and then ranked according to their scores.

For proposals with the same score, a **priority order** will be determined according to the following approach:

Successively for every group of *ex aequo* proposals, starting with the highest scored group, and continuing in descending order:

- 1) The ex aequo proposals within the same topic will be prioritised according to the scores they have been awarded for the award criterion 'Relevance'. When these scores are equal, priority will be based on their scores for the criterion 'Impact'. When these scores are equal, priority will be based on their scores for the criterion 'Quality'.
- 2) If this does not allow to determine the priority, a further prioritisation can be made by considering the overall project portfolio and the creation of positive synergies between projects, or other factors related to the objectives of the call. These factors will be documented in the panel report.

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¹³ See Article 143 EU Financial Regulation <u>2024/2509</u>.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposal will be invited for grant preparation; the other ones will be put on the reserve list or rejected.

⚠ 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 will be 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:

1. Relevance (40 points):

- Clarity and consistency of the action
- Relevant objectives and added value to EU cohesion policy
- Contribution to the EU strategic context
- European/cross-border cooperation dimension with partner countries
- Impact for the partners and stakeholders preparing for EU cohesion policy

2. Quality (40 points):

- Logical links between the identified problems, needs and solutions proposed (logical frame concept)
- Quality of the consortium and project team
- Appropriate procedures and problem-solving mechanisms for cooperating within the consortium and project team
- Methodology for implementing the project (concept and methodology, organisation of the work (procedures and allocation of resources), management, involvement of subcontractors, timetable, risks and risk management, monitoring and evaluation)
- Cost effectiveness (sufficient/appropriate budget for proper implementation; best value for money)

3. Impact (20 points):

- Ambition and expected long-term impact of results on target groups and general public
- Appropriate dissemination strategy
- Possibility to use the results in other countries
- Sustainability of results after EU funding ends.

Award criteria	Minimum pass score	Maximum score
Relevance	21	40
Quality	21	40
Impact	11	20
Overall (pass) scores	60	100

Maximum points: 100 points.

Individual thresholds per criterion: 21/40, 21/40 and 11/20 points.

Overall threshold: 60 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. A retroactive starting date 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.

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 rate fixed in the Grant Agreement (100% for the costs for providing financial support to third parties and 100% for all other cost categories).

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs). Forprofit 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
 - A.5 Volunteers
- 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
- E. Indirect costs

Specific cost eligibility conditions for this call:

- personnel costs:
 - SME owner/natural person unit cost¹⁴ Yes

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)7115).

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- volunteers unit cost¹⁵: Yes (with indirect costs)
- travel and subsistence unit cost ¹⁶: Yes
- equipment costs: depreciation
- other cost categories:
 - costs for financial support to third parties: allowed for grants or similar;
 maximum amount per third party EUR 50 000
- indirect cost flat-rate 7% of the eligible direct costs (categories A-D, except volunteers costs and exempted specific cost categories, if any)
- VAT: non-deductible VAT is eligible (but please note that since 2013 VAT paid by beneficiaries that are public bodies acting as public authority is NOT eligible)
- other:
 - in-kind contributions for free are allowed, but cost-neutral, i.e. they cannot be declared as cost
 - kick-off meeting: costs for kick-off meeting organised by the granting authority are eligible (travel costs for maximum 2 persons, return ticket to Brussels and accommodation for one night) only if the meeting takes place after the project starting date set out in the Grant Agreement; the starting date can be changed through an amendment, if needed
 - 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
 - other ineligible costs: No

Volunteers costs — Volunteers costs are not a classic cost category. There are no costs because volunteers work for free, but they may nonetheless be added to the budget in the form of a prefixed unit cost (per volunteer) and thus allow you to benefit from the volunteers' work for the grant (by increasing the amount of reimbursement up to 100% of the normal costs, i.e. cost categories other than volunteers). More information is available in the AGA — Annotated Grant Agreement, art 6.2.A.5.

If indirect costs for volunteers costs are eligible, you can add them manually to the volunteers costs category in Annex 2 (calculate the 7% flat-rate on the amount of volunteers costs calculated as unit costs and then add them on top).

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 (float of normally **40%** of the maximum grant amount; exceptionally less or no prefinancing). The prefinancing will be paid 30 days from entry into force/financial quarantee (if required)— whichever is the latest.

There will be one or more **interim payments** with cost reporting through the use of resources report).

Commission <u>Decision</u> of 10 April 2019 authorising the use of unit costs for declaring personnel costs for the work carried out by volunteers under an action or a work programme (C(2019)2646).

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).

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In addition, you will 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 also note that you are responsible for keeping records on all the work done and the costs declared.

Prefinancing guarantees

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).

Certificates

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

or

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

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

Provisions concerning the project implementation

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):

- additional communication and dissemination activities: Yes

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

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 EU Login user account.

Once you have an EULogin account, you can register your organisation 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 Search Funding & Tenders section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 3 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

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 Annexes (see section 5). Upload them as PDF file (single or multiple depending on the slots). Excel upload is sometimes possible, depending on the file type.

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).

Please also consult the Topic page regularly, since we will use it to publish call updates. (For invitations, we will contact you directly in case of a call update).

Contact

For individual questions on the Portal Submission System, please contact the <a href="https://linear.com/linea

Non-IT related questions should be sent to the following email address: REGIO-CONTRACTS@ec.europa.eu.

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

13. Important



LIMPORTANT

- **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). **Subcontracting** should normally constitute a limited part and must be performed by third parties (not by one of the beneficiaries/affiliated entities). Subcontracting going beyond 30% of the total eligible costs must be justified in the application.
- 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 <u>AGA Annotated Grant Agreement, art 6.2.E</u>).
- **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.