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| **No.** | **Institution** | **Proposals as received** | **IP structures opinion** | **Updated** |
|  | **Directorate General Safety and Civil Protection, Ministry of Interior Bulgaria** | With regard to the Guidelines, we believe that they should be divided into two separate documents, given the fact that the Strategic Projects covered by them will be financed by Priority 1 A well connected region, Specific objective 3.2 Developing and enhancing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility, including improved access to TEN-T and cross-border mobility and Priority 2 A greener region, Specific objective 2.4 Promoting climate change adaptation and disaster risk prevention, resilience, taking into account ecosystem-based approaches of the Program. The respective axes differ as beneficiaries, eligible activities/investments, respectively results to be achieved | Not accepted | The applicant’s guide is dedicated to the OSI, including details regarding the strategic operations. The specific information for each OSI is clearly described, as well as the common rules.  The distinct information for each OSI is at the level of output and results indicators and the specific types of actions.  All other provisions are applicable for all OSI. Spiting the guide in two separate documents will only duplicate the information and the equal treatment principle may be questionable. |
|  |  | Regarding the text: “Applicants, outside the Programme area, but from Romania and Bulgaria, can also participate in projects, but only in exceptional cases:   * Are competent in their scope of action for certain parts of the eligible area (e.g. ministries, national agencies, research institutes); * Carry out activities that are beneficial for the Programme area * Their participation must bring clear added value and expertise to the implementation of a project and has to be beneficial for the Programme area.”   We believe with the above text, the MA of the Program enables the participation of partners with headquarters outside the territory covered by the program, under certain conditions. This fully corresponds to the understanding of the partners in the STREAM 2 project that the Academy of the Ministry of Interior should participate in the project. The reasons for this are set out in the correspondence between the partners, as well as before the MA. The partners in the project have united around the fact that the participation of the Fire Safety and Civil Protection faculty, part of AMI, is essential for the project, given the specific expertise and experience. As outlined below, they are the only training institution to prepare emergency response executive and executive staff who then perform their duties nationwide. The text below was provided as justification in the letter sent to the MA on 8th December 2022:  “DGFSCP and AMI are part of the main structures of the Ministry of the Interior, according to art.37, para.1 of the current Law on the Ministry of the Interior. The Academy is an educational institution established by a decision of the National Assembly, and as such it provides professional training of specialists, as well as scientific research for the needs of the Ministry of Interior. According to art.170 of the same Law, all employees upon entering the Ministry’s system undergo professional training at AMI, which also has obligations to conduct subsequent professional trainings. Given the wide range of activities of the Ministry, the Academy has designated faculties to carry out profiled trainings of the personnel. Being one of these faculties, Faculty Fire Safety and Civil Protection, prepares highly qualified cadets for the needs of the fire safety and civil protection. The cadets, after completing their trainings and professional education, are commissioned as officers. These high-ranking officers are assigned to manage the structures responsible for fire safety, rescue and protection of the population o the territory of the country, including the areas of the territory of the Republic of Bulgaria, which fall within the scope of the Interreg VI-A Romania-Bulgaria Programme. Here it can be emphasized, that one of the main activities that will be carried out under the project is highly specialized training for respiratory protection of Bulgarian and Romanian firefighters at the Academy of the Ministry of the Interior.  The fact that the total budget of the Academy is less than 4% of the budget of the entire strategic project should also be noted.  Given the benefits for the security, protection of the population, the economy and the environment in the cross-border area and especially for the protection of the population, the economy and the environment in the cross-border area an especially for the protection of professionals, we believe that the MA of the Programme can take into account all the above facts and provisions, only in terms of the admissibility of AMI’s activities and costs, in the preparation of the call for applications for strategic project, namely STREAM 2 –Streamlining cross-border cooperation: Joint approach in disaster resilience. With the activities envisaged in the Concept Note, AMI will significantly raise the level of professional training of cadets, future management officers, who will acquire knowledge and skills for actions in conditions close to real ones”.  At the same time, the Guidelines stated that:  **Exclamation points in advertising - BizBuzz CreativeUnder this call, the investment activities (such as works, equipment, installation of equipment etc.) outside the Programme area are not eligible. Thus, the cost related to such activities shall be considered as ineligible and shall be excluded from funding under the Programme. These costs must be supported by the concerned applicant from resources outside the Programme.**  This text is in total contradiction with the stated willingness of the MA, for the participation of the institutional partners, with activities bringing direct benefits and added value for increasing resilience and sustainability to natural and man-made accidents in the cross-border area.  In such a contradiction, as well, in the following text:  **Exclamation points in advertising - BizBuzz CreativeThe substantial modification of the concept notes submitted for each project idea may lead to the rejection of the project and its exclusion from the Programme.**  For the reason that Faculty Fire Safety and Civil Protection (AMI) has been identified as partner and will participate with certain investment activities in the project, as it described in the approved concept note.  Through the above three text, the MA once allows the inclusion of partners from outside the territory, but then with the two texts below it renders this participation meaningless, depriving them of the financial opportunity to carry out the set activities, explicitly emphasizing that the change of the concept note will lead to the rejection of the project proposal.  Our statement is that the Academy of Ministry of Interior should remain a partner with the whole range of activities (incl. infrastructure works and etc.) as they were initially approved in the Concept Note. | Accepted | Only in justified cases, provided the activity (soft or interment) has a cross border impact and it is in the Programme area benefit. In this respect, the applicant shall provide a clear justification regarding the  Modification:  **Exclamation points in advertising - BizBuzz CreativeUnder this call activities can be implemented outside the Programme area, provided they are in the Programme area benefit and have a cross-border impact.**  **In case the proposed activity/es (including the investments ones) has/have a broader impact that the Programme area, the applicant must clearly identify and justify the share (including the related budget) corresponding to the Programme area, otherwise the costs related to this activity shall be considered as ineligible and shall be excluded from funding under the Programme.**  **As such, these costs must be supported by the concerned applicant from resources outside the Programme.** |
|  |  | The MA of the Programme encourages qualitative and timely implementation of project’s activities. At the same time, restrictions are imposed by the following text: IT equipment (laptop and/or desktops, prints, scanners, etc.) for equipping the project implementation team for carrying out the project management tasks are not eligible. It should be taken into account that the majority of the team involved in the implementation of the project are the persons in need of quality IT equipment in order to be able to perform their assigned activities. It is necessary for monitoring the performed activities, reporting, participating in online meetings, participating in project presentations, participating in SC meetings etc. Introducing this restriction will have a direct impact on the project team’s work.  Our statement is that this restriction should be removed. | Not accepted | Justification:  These type of equipment need for the project team are covered under the Office and administrative costs, reimbursed as flat rate (up to 15% from the Staff costs).  Each applicant is responsible to identify the clear needs related to Office and administrate costs, and to set the corresponding percentage (provided the maximum threshold is observed).  The text was modified as follows:  “IT equipment (laptop and/or desktops, prints, scanners etc.) for equipping the project implementation team for carrying out the project management tasks are included under the *Office and administration costs*, covered by the flat rate.” |
|  |  | Rendering planes (p.23 Infrastructure and works) – Please, clarify what is meant by this expression  **Exclamation points in advertising - BizBuzz Creative**It is recommended, in case of buildings, the technical documentations to include rendering planes. | Clarification provided.  The purpose of this recommendation is to ensure professionals and a high quality plans of buildings, and thus of the execution. | Modification:  The clerical error was eliminated  **Exclamation points in advertising - BizBuzz Creative**It is recommended, in case of buildings, the technical documentations to include rendering plans. |
|  |  | According to Bulgarian legislation, if there is a statement by a competent authority that the investments is not a subject to assessment/evaluation for the need for an EIA, which is Annex B4 in this case, then our understanding is that Annex B5 should not be submitted.  *Annex B4 to the Application Form – Environmental agreement (mandatory for applications including infrastructure related activities) will annexed to the Application Form. The applicants must present an official statement/act from the competent environment authority stating that the investment project either: observes the legal provisions of environment protection (For Bulgarian beneficiaries – a letter from the competent body that a procedure under chapter VI of Environmental Protection Act is not required) or completed the first phase of the EIA procedure – screening (For Bulgarian beneficiaries – the* *decision of the competent body for the necessity of carrying out of Environmental Impact Assessment).*  *Annex B5 to the Application Form - Environmental Impact Report (mandatory for applications including infrastructure related activities) and English translation (if issued in other language than English) will be annexed to the Application Form.*  *Annex B6 to the Application Form - Project Environmental Impact Analysis (mandatory for applications including infrastructure related) and English translation (if issued in other language than English) will be submitted during pre-contractual phase.* | Clarification provided.  The Environmental Impact Report (Annex B5) shall be submitted only if required by the legislation in force. | Modification (marked in red):  Annex B4 to the Application Form - Environmental agreement (mandatory for applications including infrastructure related activities) will be annexed to the Application Form.  The applicants must present an official statement/act from the competent environment authority stating that the investment project observes the legal provisions of environment protection.  ~~-observes the legal provisions of environment protection (For Bulgarian beneficiaries – a letter from the competent body that a procedure under chapter VI of Environmental Protection Act is not required) or~~  ~~-completed the first phase of the EIA procedure – screening (For Bulgarian beneficiaries – the decision of the competent body for the necessity of carrying out of Environmental Impact Assessment).~~  Annex B5 to the Application Form - Environmental Impact Report (if required by the legislation, mandatory for applications including infrastructure related activities) and English translation (if issued in other language than English) will be annexed to the Application Form.  For Romanian partners:  <https://www.solutiidemediu.ro/en/environmental-agreement/> |
|  |  | In case, preliminary design and BoQ is enclosed to the application, does this mean that no CBA should be submitted?  *Annex B1 to the Application Form - Cost-Benefit Analysis*  *The Cost-Benefit Analysis and English translation (if issued in other language than English) will be annexed to the Application Form. For more explanation on filling in the Cost-Benefit Analysis please also see:* [*http://ec.europa.eu/regional\_policy/sources/docgener/studies/pdf/cba\_guide.pdf*](http://ec.europa.eu/regional_policy/sources/docgener/studies/pdf/cba_guide.pdf)*.*  *This annex is mandatory for all applications including infrastructure/investments in order to determine whether the project is financially feasible or not as it is an evaluation instrument regarding the advantages of the investments from the point of view of all interested target groups, on the basis of the monetary values for all positive and negative consequences of the investment.*  *In case a Feasibility study is provided, the submission of the CBA is not required.*  *Annex B2 to the Application Form - Feasibility studies/ equivalent technical documents or any other design document elaborated by the licenced designer that contains description of construction works and Bill of Quantities.*  *For Bulgarian beneficiaries it should be annexed: preliminary design (including estimation of bill of quantities and values) or technical design.* | Clarification  For simplification, CBA will be requested only for the projects that may have activities that generates revenue. | Modification:  This annex is mandatory only for those partners that may have revenues from the supported activities included in the all applications ~~including infrastructure/investments in order to determine whether the project is financially feasible or not as it is an evaluation instrument regarding the advantages of the investments from the point of view of all interested target groups, on the basis of the monetary values for all positive and negative consequences of the investment..~~ |
|  |  | We consider that to the applicants should be given the freedom to choose the type of the promotional materials and publicity measures with which they want to use to promote the project. In addition, the materials listed below, have outdated attractiveness and effectiveness to the audience. At the same time, the big scale project as STREAM 2 must present the project idea and its achievements to the wider groups of population (not only inhabitants, but local economy, also local authorities)  The reason for that comment is the text on p.33 of the Guidelines it is written that:  *However, limited promotional materials are allowed under the Programme, such as:*  *Pens and pencils*  *(Paper) notebooks*  *Bags (made of sustainable materials like cotton, paper or linen)*  *Cardboard conference folders*  *USB sticks* | Flexibility was included | Modification included:  The applicants can choose the promotional items from the Programme list, according to their needs.  However, at operation level, partners may decide to propose maximum 3 promotional items, additional to the Programme list. |
|  |  | In point 9 of Guidelines, Eligibility of expenditures, it is written that all real costs must be justified based on 2 offers or an independent evaluation of the prices. For the applicants under the Interreg V-A Romania-Bulgaria Programme, it was allowed also to use List of ceilings at the preparation stage. That possibility is excluded from this guidelines. Opinion of DGFSCP is that was a good tool for the applicants and it was updated soon. Our recommendation is to keep List of ceilings as an instrument for justification of real costs. | Not accepted | Considering the current socio-economic context, including the evolution of the inflation, the Programme will not set a ceiling list. The partners are requested to make a market research corresponding to the actual costs. |
|  |  | In the Guidelines, it is written that the projects mentioned there will go through an administrative assessment as well as an assessment in terms of quality, and a rejection of a project proposal is also being foreseen. This is contrary to the understanding of the strategic importance of the projects, especially since it is envisaged that there will be no other project in this area aside from STREAM 2. The evaluation and awarding of points gives the call a competitive character.  The project proposals shall be evaluated and selected for funding based on standardized procedure which complies with the principles of transparency and equal treatment.  *The evaluation and selection criteria are available in Annex AG \_A Evaluation grids.*  *The evaluation process shall be carried out by the Joint Secretariat based on the criteria approved by the Monitoring Committee (MC). Thus, an Assessment Committee shall be set within the JS that perform the assessment of the project proposals.*  *The evaluation will be carried out in two phases:*  *Phase 1 - administrative compliance and eligibility check*  *Phase 2 – quality assessment (technical and financial evaluation and state aid incidence assessment)*  *Verification of the compliance of project application with eligibility criteria can be made all through the evaluation, selection, and contracting process and failure to comply with the established eligibility criteria can lead to the rejection of the application in any stage of the evaluation, selection, and contracting process.* | Not accepted  The score is an indicator of the OSI quality. In case the OSI does not receive a score above the set threshold, it will be returned for improvement.  The criteria shall be used for all 4 OSI. |  |
|  | **The Association of Danube River Municipalities (ADRM)** | The Association of Danube River Municipalities (ADRM), representing 34 local authorities in  the Danube region in Bulgaria, submits observations and suggestions regarding the Applicant’s Guide dedicated to the operations of strategic importance as part of the Program Interreg VI-A Romania - Bulgaria 2021 - 2027 consultation process.  1. The four identified strategic projects to involve and engage the local and regional stakeholders since the project partners to implement the projects are primarily at the national level. This can be done through different forms such as: setting up an observers’ committee, composed of the local/ regional stakeholders to be informed and engaged at every stage of design and implementation of the project; organization of study visits outside cross-border area for the local/ regional  stakeholders; training of the local/ regional stakeholders.  2. In the program preparation stage ADRM submitted a concept note on enhancing rail connectivity and mobility across the Danube that was considered eligible and is  identified as important by the local communities; we are resubmitting the project concept note without any changes for further consideration/ adjustments.  3. We are not provided with the strategic projects’ concept notes, so we cannot discuss projects’ activities and results. We take the liberty to suggest an element of the strategic project on maritime transport in the CBC area: planning and licensing of marinas on the Bulgarian and Romanian coast of Danube for mooring yachts, boats,  catamarans. The following activities can be included: joint feasibility studies, legal and licensing documentation, study visits in Netherlands/ Italy for local stakeholders, engineering planning documents. There can be a competition element for the local/regional authorities to support the investment on their territory. The strategic project can be linked with pre-identified investment in marinas projects.  Please, let me know if you require further information.  Attachment: Project concept note ROBG Danube Train, Joint deployment of a passenger rail service Ruse-Bucharest Airport and Ruse – Veliko Tarnovo. | Not accepted.  The OSI were already identified during the programming stage, and included in the Programme (appendix 3).  In order to be included in the Programme, the OSI had to have a cross-border impact and character. Also, the proposed partners must take on board the operation and agree to implement it. |  |