| **No.** | **Question received** | **Answer provided** |
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| **I. Application Form** |
| **I.1** | 1. I have a question related to the meaning of:a) output indicator organizations cooperating across borders – can these be only the partner organizations participating in the project implementation, project partners?b) result indicator organizations cooperating across borders after project complection – could this be a newly created international organization including members from both countries? And if so – is there a requirement for the formality of the organization, can it be informal (eg a network)?If the answer to both questions is positive, will it be a problem that the otput indicator is higher than the result indicator?2. The specific objective of this call is: Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training. So written, it assumes that every project invests in infrastructure. Is this mandatory? | 1.a. Output indicator organizations cooperating across borders – can these be only the partner organizations participating in the project implementation, project partners? This indicator counts only the project partners, cooperating formally in supported projects (project partners and associated partners, if any). For additional information, please see Annex 4 Methodological descriptions of Interreg VI-A RO-BG indicators - SO 4.2. b. Result indicator organizations cooperating across borders after project complection – could this be a newly created international organization including members from both countries? And if so – is there a requirement for the formality of the organization, can it be informal (eg a network)? The result indicator counts the partners cooperating across borders after the completion of the supported projects. The partners are legal entities involved in project implementation, counted within RCO87. The cooperation concept should be interpreted as having a statement that the entities have a formal agreement to continue cooperation, after the end of the supported project. The cooperation agreements may be established during the implementation of the project or within one year after the project completion. The sustained cooperation does not have to cover the same topic as addressed by the completed project. In order to contribute to this result indicator, the cooperation should fulfil the following conditions:- the cooperation is formalized under other form than the “partnership agreement” signed between the project partners with the purpose of implementing the project;- the purpose of the project is to develop and maintain the cooperation between structures over a longer period of time than the duration of the project;- not all the project partners need to sign the “cooperation agreement”, only a minimum of 2 partners. However, for this indicator, the cooperation proving document must be signed by at least two organizations participating in the project, one on each side of the border. The cross-border distribution of the organizations is mandatory regardless of the number of cooperating organizations.In case the project partners are creating a newly international organization, this can be considered as a proof of the institutionalized cooperation, but in terms of contribution to the result indicators, only the project partners are counted. 2. The specific objective of this call is: Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training. So written, it assumes that every project invests in infrastructure. Is this mandatory?No, it is not mandatory. Please bear in mind that the project proposal is subject of the verification during the assessment process based on provided documents/information/justifications included in the AF. |
| **I. 2** | The structure of the application form is such that the two types of indicators are filled in differently. While the result indicators are in one place, the output indicators are divided by work packages. The latter creates the impression that each work package must satisfy a specific output indicator. However, the work packages are different and it is possible that some of them do not directly contribute to the indicator - for example, if one package produces curricula that will be used for training in another WP. It is clear that the second package will contribute to the output indicator Participations in joint training schemes, but the first one also contributes in some way. Few questions follow from this:1. Is it mandatory for every WP to fill out an output indicator?2. If the same output indicator is present in 2 or more WP is it a problem? And in such a case, will it accumulate, i.e. will its values add up?3. To which WP should the indicator Organizations cooperating across borders be pointed to, because it is relevant for all WPs in which there is cooperation? | 1. Yes. Considering that a project is structured into Work Packages (WP) and activities, and produce deliverables and outputs that contribute to the achievement of the results and the set objectives, it is mandatory for every WP to fill out an output (correlated to the Programme output indicator) and the related result (correlated with the Programme result indicator). Moreover, please see the Applicant guide provisions: “The Work Package (WP) is defined as group of related project activities required to produce project main outputs. This means that the project will have as many work packages as it will have project specific objectives defined.” However, please bear in mind that the number of WP should be correlated with the complexity of the project.2. In principle, it is not forbidden to have the same outputs included in 2 different WP, but the contribution must be different for each WP. The JEMS system automatically adds-up, at project level, the contribution of the respective output from all WPs. If the contribution is not different, then you must merge the two WPs and detail in the activities section. However, please ensure that the project demonstrates a clear logical connection between objectives, activities, outputs, results, and budget. When defining the WPs, make sure each WP has a corresponding, measurable and specific objective that aligns with the planned activities, outputs, and results.Before finalizing the WPs and their associated outputs and results, please review the Methodological Descriptions of Interreg VI-A RO-BG Indicators - SO 4.2 to ensure that the specificity of the corresponding output and result indicators is properly addressed, particularly regarding the joint nature of these indicators. You can find the guidance here: <https://interregviarobg.eu/assets/2024/01/guidance-on-monitoring-programme-indicators-annex-4-so-42.pdf>. Also, please take into consideration the following indications from the annex AG\_K.1 Application form\_4.2 (offline): “Each project specific objective has a work plan (work package). Applicants can define more than one specific objective. This means that the project will have as many work packages as specific objectives. We recommend up to 3 work packages, but in some cases up to 5 should also be acceptable.” Therefore, please try to compress the number of WP as much as possible.3. It is decision at project partners in which WP to include the output indicator RCO87 “Organisations cooperating across borders”. But, please bear in mind that this output should align with the specific focus of the WP and the defined specific objective. Still, when choosing the WP please have in mind that the cooperation should be sustained through formal cooperation agreements or other types of tools. |
| **I. 3** | 1. RCO85 Participations in joint training schemes:a) Is there any restriction for the trainees - for example, can the scheme be for the qualification of the teachers themselves?b) Is it possible for the training sheme to be in one time, for example in a course of 2-3 days, given that it is broken into several sessions? What is meant by a "session"? I ask the question because there is a requirement for several sessions and that it is not a one-off(informational) event.c) Will thematic meetings for the exchange of experience between educational specialists be accepted as a "training session"?2. RCR81 Completion of joint training schemes:What exactly does "record of the confirmed completions" mean, what is the form, what does it contain?3. RCO87 Organizations cooperating across borders: If an organization applies to several projects, is it correct to enter itself in this indicator in each of them? It is clear that at the Programme level it will be reported only once.4. RCR84 Organizations cooperating across borders after project completion:a) Is it possible for this indicator not to be planned, given that the RCO87 indicator is planned, or both are linked and should be plan both or neither?b) Regarding the evidence document for future collaboration – it is written that it should include a description of the intended cooperation and the intended timeframe. Are we to understand that this cannot be a general document of intentions, but something like a plan for specific joint activities over time? Please give more details about the expectations for the document, because it may turn out that we will have difficulties in proving it afterwards.c) How to understand the text: The sustained cooperation does not have to cover the same topic as addressed by the completed project? In my opinion, it makes sense that organizations would want to continue and build on what was done within the project, rather than something completely different. | 1. RCO85 Participations in joint training schemes:a) A joint training scheme requires building knowledge in a certain topic and involves the training of participants over several sessions. As long as the trainees accumulate knowledge, there is no restriction regarding the type of trainees (including teachers etc. – that acquire new knowledge, competences, skills etc.). Please bear in mind that the indicator counts the number of participations in joint training schemes, where a joint training scheme implies:* the involvement of organizations from both countries in the development, delivery and post-delivery (for example assessing the satisfaction of the participants) of the training scheme;
* balanced participation from both sides of the border.

Participations in a joint training scheme are intended to be counted as registered participants who started the training.b) A session is a period devoted to a particular activity and the duration of this session will be establish by the nature of the training scheme and the complexity of the chosen topic. The scope of a jointly training schemes is to focus on concrete activities so that participants may acquire new skills and competencies.Please take into consideration the provisions from the Guidance on monitoring programme indicators for so 4.2 (annex to the Project Implementation Manual), found at the link <https://interregviarobg.eu/assets/2024/01/guidance-on-monitoring-programme-indicators-annex-4-so-42.pdf>: “A joint training scheme requires building knowledge in a certain topic and involves the training of participants over several sessions. A one-off meeting/event/internal session where information is disseminated should not be considered as a training scheme”. Also, the training activities should aim at issuing a certificate of completion, of the training in line with the conditions set by the Applicant’s Guideline or at recording the confirmed completion.c) Please keep in mind that a one-off meeting/event/internal session where information is disseminated should not be considered as a training scheme. As mentioned above, a joint training scheme involves the training of participants over several sessions and requires building knowledge in a certain topic. Please note that joint trainings for which the training organisers do not intend to record the confirmed completions / do not intend to issue certificates of completion are considered under the generic term of "joint actions" and are not considered for RCO85. Thus, if the thematic meetings takes place over several sessions and the activities aim at issuing a certificate of completion of the training in line with the conditions set by the Applicant’s Guideline or at recording the confirmed completion, these thematic meetings could be accepted as training scheme. Still, please be informed that the eligibility of the activities is to be analyzed during the evaluation process, based on the information provided and the justification documents submitted.2. RCR81 Completion of joint training schemes:The completion of the joint training schemes should be documented by the training organisers either through a record of the confirmed completions or by issuing certificates of completion of the training. The participation documents can be, to list just a few, certificates of participation certifying attendance at the training, certificates of competences certifying the skills acquired, etc. The form and the content of the document depend on the issuing organization, but should include the national identification number of the person attending the training course, educational level, residence, employment status, if the case.3. RCO87 Organizations cooperating across borders:According to Annex 4 Methodological descriptions of Interreg VI-A RO-BG Indicators – SO 4.2, if an organization will participate in more than one project financed through the Programme, either as partner or associate organization, it will only be counted, by the Programme structures, only once when aggregating the data for this indicator at Programme level. However, this will not influence targets and achievements at project level. Please keep in mind that the indicator RCO87 shall be reported by the end of the project implementation period.4. RCR84 Organizations cooperating across borders after project completion:a) Please be informed that the Programme indicators are grouped into pairs and the pairing of the indicators must be observed. To each output indicator, a result indicator was identified. Therefore, if you decide on the Output indicator RCO87 Organizations cooperating across borders, the Result indicator RCR84 Organizations cooperating across borders after project completion should be automatically selected. Please keep in mind that the pair of indicators RCO87 Organisations cooperating across borders and RCR84 Organisations cooperating across borders after project completion cannot be used as a standalone pair. If this pair of indicators is chosen, at least another pair of indicators must be selected (RCO85-RCR81 and/or PSO4-PSR4). If this rule is not observed, the project shall be rejected from funding, without further assessment.b) The Result indicator RCR84 is considered achieved once project partners provide proof of the formal commitment to continue cooperation. Indeed, as you mentioned, the document should include a description of the intended cooperation and the intended timeframe. The partners must agree to provide the Programme authorities with details regarding the cooperation, for evaluation purposes. Therefore, the concluded document should contain clear details about the actions planned by the partners after the end of the project implementation, how this actions will further contribute to the project specific objective and to the Programme indicators. In addition, please keep in mind that the duration of the formal commitment should be longer than the duration of the project, considering that the purpose of the project is to develop and maintain the cooperation between structures over a longer period of time. c) According to the methodology for descriptions of the indicators, the sustained cooperation does not have to cover the same topic as addressed by the completed project. As mentioned above, the main purpose of a project is to develop and maintain the cooperation between structures over a longer period of time than the duration of the project. It is up to the partners how they will continue the cooperation after the completion of the project, if they want to continue and build on what was done within the project, or if the partners want to cooperate further on other subjects. |
| **I. 4** | We have a question related to indicator RCO85 Participations in joint training schemes. Are courses that are held according to the same, jointly developed program, but in parallel on both sides of the border without mixed participation, considered joint training schemes. | According to the provisions of the Guidance on monitoring programme indicators for SO 4.2 (annex to the Project Implementation Manual), which can be found at the link <https://interregviarobg.eu/assets/2024/01/guidance-on-monitoring-programme-indicators-annex-4-so-42.pdf>, a joint training scheme implies:* The involvement of organizations from both countries in the development, delivery and post-delivery (for example assessing the satisfaction of the participants) of the training scheme;
* Balanced participation from both sides of the border.

A joint training scheme involves building knowledge on a specific topic and training participants over multiple sessions, which can take various forms (physic or online events, self-learning modules etc.). When developing the project, the needs of the target groups should be carefully considered in the design and implementation of the joint training schemes. Consequently, depending on the needs and characteristics of the target groups, some sessions of the joint training schemes may exceptionally include participants from only one partner, with duly justification and explanations on how the sessions including participants from only one partner contribute to the development and implementation of the common training scheme and the achievement of its objectives.Participation is understood as attending in physical or online training activities (events, self-learning modules, etc.). Please keep in mind that the training activities should aim at issuing a certificate of completion, of the training in line with the conditions set by the Applicant’s Guideline or at recording the confirmed completion, in order to be considered for the Output indicator RCO85 – Participations in joint training schemes. Therefore, a training scheme should be developed and organized jointly by the partners. Training schemes that are developed and organized in parallel on both sides of the border without mixed participation, and/or without the involvement of partners from the other side of the border, do not have a “joint” character and cannot be considered a joint training scheme. As mentioned above, please remember that the partners should be involved not only in the development of the training schemes but also in their delivery and post-delivery phases.Still, please be informed that the eligibility of the activities is to be analyzed during the evaluation process, based on the information provided and the justification documents submitted. |
| **II. Eligibility of expenditures** |
| **II.1** | How do we pay experts if they are employees of the partners? | The experts, employees of the partners, should be paid from the staff costs by each partner, which is reimbursed based on flat rate. External experts (outside of the partner organization) should be paid from the external expertise and services cost. Please keep in mind that according to the Applicants’ Guide provisions, the external expertise and services cost shall not duplicate costs already budgeted under staff costs or project management and should be necessary for the project. |
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| **III. Eligibility of applicants and activities** |
| **III.1** | The National Penitentiary Administration (NPA) is interested in submitting a project application within the INTERREG VI-A Romania-Bulgaria Programme.At this moment, according to the published Applicant's Guide, NAP, having its headquarters in Bucharest, is not an eligible organization for submitting projects under the Programme, this can only be done by the penitentiaries located in Mehedinti, Dolj, Giurgiu, Constanta counties.In this context, we bring to your attention the following:- NAP is a public institution of national interest, with legal personality, subordinated to the Ministry of Justice, being the central authority with a coordinating role for subordinate prison units (implicitly those in the border area with Bulgaria, located in the eligible area of the Programme);- within NAP there is a dedicated structure for accessing, implementing and monitoring projects with non-reimbursable external financing (including those with investment components), and among the subordinate units, only the Craiova Penitentiary has provided and occupied a position with attributions in accessing and implementing projects;- following an internal analysis, it was found that NAP has, at this moment, all the resources necessary to access projects within the above-mentioned program, as a partnership leader or partner, with the mention that the funding will be oriented predominantly towards eligible program area.In this context, to support the development of collaborative relations between the penitentiary system in Romania and the penitentiary system in Bulgaria, please let us know if the National Administration of Penitentiaries (NAP) could submit a project application, even if it is not part of the area specific geographic (eligible) Programme. In the framework of this application, NAP would have the role of central authority-applicant, in the case of Romania, and the actual activity would be carried out in one of the penitentiary units in the eligible area of the Programme (unit that would have the role of partner in the project, next to another unit in the prison system in Bulgaria). | Please be informed that according to the provisions of the **Applicant’s Guide for the open call for the operations under Priority 3, Policy Objective 4, SO 4.2 - Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training,** there are established eligibility criteria which must be fulfilled by the applicants and as a general rule, can apply for this call entities which have their headquarters in the eligible area of the Programme.Still, the Applicant’s Guide provides also an exception from this rule, giving the opportunity to apply to the current call for operations also to the entities from Romania and Bulgaria which have their headquarters outside the Programme area, but in this case the following criteria must be fulfilled:“- Are competent in their scope of action for certain parts of the eligible area (e.g. ministries, national agencies, research institutes, organizations etc.); - 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. - They cannot take the Lead Partner role.”Hence, please be informed that the eligibility of the partners will be analysed during the evaluation process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicant’s Guide.During the assessment process, the assessors may request additional documentary evidence and argumentations regarding the eligibility of applicants.  Also, please consider that, according to the provisions of the Applicant’s Guide, **the applicants from Romania and Bulgaria but outside the Programme area, cannot take the Lead Partner role.**Moreover,please take into consideration the following provisions from the Applicant guide related to the location of the activities: “*The Interreg VI-A Romania-Bulgaria Programme supports project activities that are implemented in the Programme area. The applicants are asked to demonstrate that those activities have cross-border character and impact on the Programme area and contribute to the objectives of the Programme.**By exception, activities outside the Programme area can be implemented in duly justified cases. In such cases, the following requirements must be observed by the concerned activities:** *They are for the benefit of the Programme area*
* *They are essential for the implementation of the project*
* *They are explicitly foreseen in the application form.*

*The purchased equipment must be located, installed and used in the Programme area*.*Under 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*.”In conclusion, your organization may apply within the 3rd call for applications in the framework of the Interreg VIA RoBg Programme, but taking in consideration all the eligibility criteria of the applicants as listed in the Applicant’s Guide. |
| **III.2** | In accordance to the Annex AG\_A Evaluation grids Phase 1 question no. 11, "no partner has benefited from a financing support from public funds for the same project proposal",In our case, the project proposal of one of the partners aims to create an Educational Center for Youth in a location where the partner in question initiated about 7 years ago, the establishment of a Communitary center. More specifically, about 10% from the building was made in 2017 (from local budget funds) and the investment was stopped due to lack of funds and lack of interest from the local community towards the investment objective. Currently, the partner in question wishes to apply within this program for the continuation and completion of the aforementioned investment, in order to build an Educational Center for Youth, extremely necessary and desired in the marginalized community they represent. Please clarify if the mention "has benefitted from a financing support from public funds for the same project proposal" can be assimilated to our particular case, given that this project proposal - Educational Center for Youth - was never proposed/submitted for funding on any program by the partner concerned, partner`s responsability and aim being to capitalise an investment already initiated and focus on an actual tangible necessity for the youth community, | The provided information submitted within your email is limited and cannot lead us to a categorical conclusion whether or not the project proposal you will submit has benefited from public funding. Please be informed that the verification of the compliance of project proposal with administrative and eligibility criteria, based on detailed information that you shall provide within and with the project proposal, it will be the task of the assessors.Nevertheless, please pay attention to the Application Form’s Annexes: *Annex A1 Project statement* ([*https://interregviarobg.eu/assets/2024/03/af-a1-lp-statement-42.pdf*](https://interregviarobg.eu/assets/2024/03/af-a1-lp-statement-42.pdf)) and *Annex A2 Project partner statement (*[*https://interregviarobg.eu/assets/2024/03/af-a2-pp-statement-42.pdf*](https://interregviarobg.eu/assets/2024/03/af-a2-pp-statement-42.pdf)*), in particular as regards points 13 and 14 of those annexes:**13. “The project proposal, or any part of it, has not and will not receive support from other EU-funded programmes or other public funds. In case that any of such funding is received after the submission of this proposal or during the implementation of the project, my institution will immediately inform the Managing Authority;**14. The project proposal was not physically completed or fully implemented before the application for funding under the Interreg VI-A Romania-Bulgaria Programme”*Also, taking into consideration the situation described in your e-mail, we would like to envisage the following facts:1. The provisions of the Application Form are related not only with financing the entire project by public funds, but also *“any part of it”;*
2. The provision of the Applicant’s Guide are related to any kind of public funding, not just that provided by an operational Programme *(as you have mentioned that the Educational Center for Youth - was never proposed/submitted for funding on any program).* Therefore, national funding shall be also reflected within the partner’s statement;
3. Based on the same provisions of the applicant guide, regardless of whom has received financing, if financing from public funds has been received for the same project (with the same objectives, results and activities) or part of it, it shall be duly reflected in the statement of the partner submitting the project proposal *(as you have mentioned that the Educational Center for Youth was not proposed or submitted for funding by the ”partner concerned”);*
4. the provisions of the applicants guide emphasize~~s~~ the support (from public funds), for *”the same project proposal”* or *“any part of it”.* Therefore, we are recommending you to analyze the project proposal that you will submit for financing, with the previous received funding, in terms of infrastructure / investment, general and specific objectives, results and activities, functionality, etc. and to duly answer the questions 13 and 14 of the Application Form’s annexes, mentioned above. In case of similar elements, we are recommending you to exclude them from the project proposal, in order to meet the requirements of the Applicant’s Guide. We also recommend mentioning the previous received funding and detailed information in the section C.2 Project relevance and context of the Application Form, while also presenting the legal status of the previous approved financing (financing contract still in force, terminated, etc.) and detailing the situation of the infrastructure in the investment documentation that is mandatory to be submitted together with the project proposal.
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| **III.3** | Considering the launch of the call dedicated to the projects within the Priority 3: An educated region, financed within the Interreg VI-A Romania-Bulgaria Programme, with the Specific Objective 4.2 - Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training; Teleorman County Council intends to submit two project applications within the Interreg VI-A Romania – Bulgaria Programme.Considering the indicative type of action in the applicant's guide:-“Investments in the infrastructure of educational facilities (e.g. learning spaces such as classrooms, labs, libraries, workshops, gyms, outdoor learning spaces but also other facilities) for all education levels and educational activities (including remedial and after-school), technical and vocational training and LLL etc.; special attention will be given to promoting accessible and inclusive learning for all persons.”We would like to ask you whether within this indicative type of action, the activity of rehabilitating or building a sports field can be classified as an eligible activity? | The Applicant's Guide emphasizes investments in the infrastructure of educational facilities, the key criteria being that the facilities are used as learning spaces and promote accessible and inclusive learning for all categories of people, provided it clearly demonstrates that the activity of rehabilitating or building a sports field will be used primarily as a learning space for educational activitiesHowever, it is important to ensure that:i. The facilities are genuinely intended for educational purposes and activities, as described in your project proposal.ii. The investments align with the broader objectives of promoting inclusive and quality education and training as outlined in the Interreg Programme (Applicant's Guide, Section 2.3. Eligible indicative types of actions, p. 10).Please have in mind that the outdoor learning spaces are explicitly mentioned as examples of educational facilities in the guide, and your project proposal should:a) Describe the types of educational activities that will take place in the outdoor learning space (sport field);b) Explain how the space will be accessible and inclusive for all persons; c) Highlight how the project promotes accessible and inclusive learning environments;d) Ensure the investment aligns with the objectives of improving educational infrastructure and fostering resilience for distance and online education.Last but not least, it is important to provide documentation and evidence of details in your project proposal in order to show how the facilities will be used in scope of educational purposes, focusing on how your project is aligned with the objectives and priorities set out in the Interreg VI-A Ro-Bg Programme and the Applicant's Guide. Also, please note that only activities proving cross-border character and impact on the Programme area and contributing to the objectives of the Programme will be financed.Please bear in mind that the eligibility of the project and applicants is subject of the verification during the assessment process based on provided documents/information/justifications included in the AF.  |
| **III.4** | Since on page 10 of the Applicant’s Guide it is stated that: “The projects must be developed based on and in the scope of the indicative types of actions included in the Interreg Programme”: 1. Regarding the indicative type of action, stated on page 11: Investments in the infrastructure of educational facilities (e.g. learning spaces such as classrooms, labs, libraries, workshops, gyms, outdoor learning spaces but also other facilities) for all education levels and educational activities (including remedial and after-school), technical and vocational training and LLL etc.; special attention will be given to promoting accessible and inclusive learning for all persons: Is it mandatory that the abovementioned educational facilities fall under and be defined as educational through specific legislation? For example, school institutions are defined as such in Bulgaria through the Law on preschool and school education.Alternatively, can any facility that is used as learning space for educational activities be considered as an eligible investment object, regardless of its status under the laws for education? 2. Following point 1), please give a clarification, regarding the following:a. Will a project with a scope: “Investment in the infrastructure of a museum or gallery that revolves around the use of the facility as a learning space for educational activities that promote accessible and inclusive learning for all persons” be considered as eligible?b. Will a project with a scope “Investment in the development of outdoor learning space for educational activities that promote accessible and inclusive learning for all persons” be considered as eligible? | To clarify the questions regarding the Applicant’s Guide for Priority 3 – An Educated Region, Specific Objective 4.2, please see below the answers:I. The Applicant's Guide emphasizes investments in the infrastructure of educational facilities, the key criteria being that the facilities are used as learning spaces and promote accessible and inclusive learning for all categories of people.However, it is important to ensure that:- The facilities are genuinely intended for educational purposes and activities, as described in your project proposal.- The investments align with the broader objectives of promoting inclusive and quality education and training as outlined in the Interreg Programme (Applicant's Guide, Section 2.3. Eligible indicative types of actions, p. 10).Please pay attention that the Pre-school and school education Act, provides for the public relations, related to provision of the right to preschool and school education, as well as the structure, functions, organizations, governance and financial of the preschool and school education system. This act shall apply to the school professional education and training, unless otherwise provided by the Vocational Education and Training Act.According to art.1 of Vocational education and training act, it regulates the public relations in connection with:1. providing the right to vocational education and training of the citizens according to their personal interests and possibilities;2. meeting the needs of qualified manpower competitive on the labour market;3. providing conditions for functioning and development of the system of the vocational education and training based on cooperation between its institutions and the bodies of the executive authority and the local independent government and the social partners;4. validation of professional knowledge, skills and competences.The Act stipulates the organization, the institutions, the management and the financing of the system of the vocational education.The institutions in the system of the vocational education and training are:i. vocational high schools;ii. art schools;iii. sports schools;iv. special schools - correctional boarding schools and social educational boarding schools;v. vocational colleges;vi. vocational training centers;vii. centers for information and guidance.For school’s vocational education and training shall apply, the implementing regulations, and the state educational standards inasmuch as this Act does not provide otherwise.In Chapter four “Institutions in the preschool and school educational system” of the Pre-School And School Education Act, are given the definitions of the institutions as kindergarten, school, the centre for support of personal development and specialized service units, which are in the preschool and school education system and function as legal persons. The private kindergartens and private schools shall acquire the quality of legal person under the conditions and procedure of the Commerce Act, of the Non-profit Legal Entities Act, of the Cooperatives Act or of the legislation of another Member State.Оn the basis of art. 345 of the Preschool and School Education Act and Ordinance No. 2 of January 24, 2017, the register of institutions in the preschool and school education system is maintained by the Ministry of Education and Science. The register contains information about the institutions in the preschool and school education system in the Republic of Bulgaria:a. State kindergartens, state and municipal schools and state and municipal centers for special educational support;b. Specialized service units;c. Spiritual schools;d. Private kindergartens and schools.Both acts regulate the organizations - structure, functions, institutions/units, the management and financing of the preschool and school education system and the vocational education which means the institutions mentioned are the educational facilities by its nature.For Programme purposes, it is not necessary the educational facilities to fall under and be defined only as educational through specific legislation because the Applicant's Guide emphasizes investments in the infrastructure of educational facilities, so the key criteria being that the facilities are used as learning spaces and promote accessible and inclusive learning for all categories of people. As a conclusion, it is not mandatory the mentioned in p. 11 of the document, educational facilities to fall under and be defined only as educational through specific legislation.II. a. The eligibility of the project and applicants is to be considered during the assessment process based on provided documents/information/justifications included in the AF. However, such a project could be considered as eligible, provided it clearly demonstrates that the museum or gallery will be used primarily as a learning space for educational activities, in the scope of the Specific Objective 4.2. In addition, the proposal should highlight:- How the facility is contributing to/consider the promotion of accessible and inclusive learning;- The educational activities planned within the museum or gallery, correlated with the target group;- The alignment with the priority of improving equal access to education and lifelong learning.II. b. The outdoor learning spaces are mentioned as examples of educational facilities in the guide. However, the project should:- Describe the types of educational activities that will take place in the outdoor learning space.- Explain how the space will be accessible and inclusive for all persons.- Ensure the investment aligns with the objectives of improving educational infrastructure and fostering resilience for distance and online education.Last but not least, it is important to provide documentation and evidence of details in your project proposal in order to show how the facilities will be used in scope of educational purposes, to ensure that your project is aligned with the objectives and priorities set out in the Interreg VI-A Ro-Bg Programme and the Applicant's Guide and also, please highlight how the project promotes accessible and inclusive learning environments. |
| **III.5** | We have a question about the open call for projects:Is it possible for a project partner to be a faculty located in the territories eligible under the program, but the University is outside this territory? | Please be informed that the eligibility of the partners is to be analyzed during the assessment process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicants Guide. The Managing Authority or the Joint Secretariat may request, at any time, additional documentary evidence and argumentations regarding the eligibility of applicants.In relation with your question, taking into consideration the situation described in your e-mail and the fact that there is currently not enough information on the registration and functioning of the faculty, please be aware that according to the provisions of the Applicant’s Guide there are 2 possible scenarios:1. the faculty could be considered eligible partner for financing under the present call for proposals if is a legal entity registered and functioning in the programme area (page 7 from AG, section 2.2 Eligible applications and applicants):“Be a Romanian or Bulgarian entity, legally established according to the national legislation of the state on whose territory they are located” and“Offices/ branches of public national/regional authorities and other public bodies active on the themes of the priority in the programme area (registered and functioning in the programme area).”;2. in case the faculty is not registered as legal body, please be aware that the application should be submitted by the University headquarters indicating the office/ branch responsible for implementing the activities (page 7 from AG, section 2.2 Eligible applications and applicants):“If those offices/branches which are functioning in the programme area are not legal bodies, the Application should be submitted by their Headquarters indicating the office/ branch responsible for implementing the activities.”In the second scenario, where the headquarters of partner is outside the eligible area there are some restrictions according to the provisions of the Applicant’s Guide that should be taken in consideration (page 8 from AG, section 2.2 Eligible applications and applicants):“Applicants, outside the Programme area, but from Romania and Bulgaria, can also participate in projects, but only in exceptional cases, namely if they: • Are competent in their scope of action for certain parts of the eligible area (e.g. ministries, national agencies, research institutes, organizations etc.);• 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.• They cannot take the Lead Partner role.” |
| **III.6** | In connection with the announced Call for Project Proposals under Priority 3: "EducatedRegion", please answer the following questions:1. Is it admissible to carry out construction works /infrastructural activities/ in aprivately owned building provided for the use of a non-governmental organization?2. If it is admissible, what conditions must the property and the NGO meet in order forthe financing of hard measures (repair works, furniture and equipment, etc.) in theproperty to be admissible?3. If it is admissible, what document(s) should be provided at the application stage? | To clarify the questions regarding the Applicant’s Guide for Priority 3 – An Educated Region, Specific Objective 4.2, please see below the answers:1. As regards of your first question, the provision in the Applicant’s Guide in relation to the ownership of land and/or building item of infrastructure FOR NGOs and other non-profit bodies are as follows:“In case of infrastructure envisaged, the applicants should be the owners of the given territory/building subject of that investment activities. For Bulgarian partners, in case of infrastructure, the investment activities should be carried out on public property (both public and private domain of the state/municipality).FOR NGOs and other non-profit bodies • property/ ownership document for the land and/or building/ item of infrastructure; OR • the applicant holds the land and/or building/ item of infrastructure / place of investment installation (in case of equipment) under a concession/on long term contract/ bailment contract/ rent contract/ any other right under the real property law; AND• documents related to the registration of the land and/or building/ item of infrastructure, by the NGO, in the relevant public registers; AND • it must be proved that the concession/ long term contract/ bailment contract/ rent contract/ any other right under the real property law is for at least 5 years after the completion of the operation and that the owner has given it’s written agreement saying that the applicant may perform the infrastructure actions on/ in the relevant land/ building/ item of infrastructure. Such a contract should last for at least 5 years after the completion of the operation; AND. • Declaration from the land and/or building/ item of infrastructure owner that the land and/or building/ item of infrastructure is:  free of any encumbrances;  not the object of a pending litigation;  not the object of a claim according to the relevant national legislation.”Considering the above mentioned conditions, please be informed that admissibility of the proposed construction/infrastructure activities is depending on the aspect if the property of the building in the discussion is public (both public and private domain of the state/municipality) or private (property of a physical person/private entity). Please be aware that in case it is private property (property of a physical person/private entity), it would not be admissible for financing under the current call.2. As regards of your second question, beside the conditions mentioned above, please consider that the admissibility of any activities (including hard or soft measures) depends on the need identified and presented within your project proposal corroborated with the specific objective 4.2 of the Programme. 3. As regards of your third question, please consider that the needed documents related to the ownership are already mentioned above. As regards of eventual infrastructure works to be envisaged in your project proposal, please be aware that in accordance with the Applicants’ Guide provision it shall be provided, “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 partners it should be annexed: preliminary design (including estimation of bill of quantities and values) or technical design (…) Annex B4 to the Application Form - Environmental agreement (mandatory for applications including infrastructure related activities) will be annexed to the Application Form (…)”However, please consider that depending on the project proposal concept, respectively taking into account the particularity and specificity of the proposed project activities and solutions, during the assessment process, the assessors may request additional documentary evidence and argumentations regarding their eligibility. |
| **III.7** | We are an NGO, registered as body governed by private law (only non-profit). We have our own property, which is not public under our legislation.Are we eligible to apply for finance for infrastructure and/or equipment for this property? | The provision in the Applicant’s Guide in relation to the ownership of land and/or building item of infrastructure are as follows:In case of infrastructure envisaged, the applicants should be the owners of the given territory/building subject of that investment activities. For Bulgarian partners, in case of infrastructure, the investment activities should be carried out on public property (both public and private domain of the state/municipality).In this regard, if the property is private, it would not be admissible for financing under the current call.In the same time, the expenditures for purchasing of equipment could be considered as eligible if the respective Programme requirements are observed and if “(1)Equipment costs refer to equipment purchased, which is used exclusively to carry out the project activities and to infrastructures which are essential for the implementation of the project”. |
| **III.8** | Is it a private BG school (registered as Ltd.) eligible as a Lead partner or a partner in a project proposal under the competitive call dedicated to Priority 3: An educated region, Specific Objective 4.2? | According to the Applicant Guide, the eligibility of the applicant depends on the legal form of the organization that owns the school. If the organization is an LTD, it is not eligible. However, please bear in mind that the eligibility of the partners is to be analyzed during the assessment process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicants Guide. The assessors may request, at any time, additional documentary evidence and argumentations regarding the eligibility of applicants.Last but not least, please be informed that the investments for Bulgarian partners can be made only on public property, which includes the public and private property of the state/municipality. Also, please be informed that under this call **no state aid is granted**. |
| **III.9** | We are an NGO from Bulgaria which is officially established in April 2024, but representing the interest of many stakeholders from the programme area, which are members of the association. May we participate as a partner in a joint project between entities from Romania and Bulgaria? And if the answer is "yes", what financial documents should we present in order to prove financial capacity to implement the project? | Considering the eligibility criteria, according to the Applicant Guide, there is no restriction based on the time of NGO establishment. As regards the financial documents in order to prove financial capacity to implement the project, according to the Applicant Guide you shall provide:• Financial Capacity Self-assessment – in Excel file format and electronic signed by the legal representative of the organization (Annex AF\_A9), together with the balance sheet and profit and loss account. Given that your organization does not have closed annual account, you must submit the Balance sheet for the last closed month. Please bear in mind that in case the results reveal that the subvention, liquidity and debt rate are higher than the set threshold (red risk), the corresponding partner must provide a plan for ensuring the financial resources and the mechanism to cover the financial cash-flow of the project and the operation and maintenance costs of the project. In case this plan is not provided or is not realistic, the project may be rejected from financing. This will be verified during the assessment process of the project.• full unofficial translation(s) in English (certified through signature by the legal representative of the organisation). The extracts from bank accounts are not equivalent to latest annual account. However, please bear in mind that the eligibility of the partners is to be analyzed during the assessment process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicants Guide. The assessors may request, at any time, additional documentary evidence and argumentations regarding the eligibility of applicants.In the same time, we are reminding you that the email address for addressing questions regarding the 3rd Call for Proposals is helpdesk\_robg@calarasicbc.ro. |
| **III.10** | We have a question about partner eligibility.The application instructions read as follows:"National, regional and local public bodies, institutions, administrations, agencies, including bodies governed by public law (which fall within the definition of Article 2(1) of the Public Procurement Directive 2014/24/EU), county/regional councils, local councils/municipalities, educational and research institutions, etc.'Is it mandatory for educational institutions to be regulated by public law?We have in mind the following case study: a legal entity registered under the commercial law as an OOD is certified by the General Directorate "Civil Aviation Administration", according to Regulation 1178/2011 of the EU for training in the aviation sector.Is this organization an eligible partner for the call dedicated to Priority 3, S.C. 4.2?If not, is it permissible to outsource activities related to the creation of learning resources and the learning itself (the heart of the project)?Certified Aviation Training Organizations are units and we don't have much choice for partners. At the same time, the project to develop training resources for aviation in the cross-border region responds to many pressing needs that we have identified. | 1. In accordance with the provisions specified within the quote mentioned from the Applicant’s Guide in relation to the eligibility of applicants, please be aware that all the institutions enumerated shall be governed by the Public Law. 2. According to the Applicant Guide, the eligibility of the applicant depends on the legal form of the legal entity. If the organization is an LTD, it is not eligible. Also, please bear in mind that the eligibility of the partners is to be analyzed during the assessment process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicants Guide. The assessors may request, at any time, additional documentary evidence and argumentations regarding the eligibility of applicants.We also inform you that the investments for Bulgarian partners can be made only on public property, which includes the public and private property of the state/municipality. Also, please be informed that under this call no state aid is granted.3. Please be informed that you may outsource activities related to the creation of learning resources and the learning itself, if clearly explaining within the project proposal why those activities cannot be implemented using own staff of the beneficiary/beneficiaries. In this regard, the Applicants’ Guide envisage that: "(…) External expertise and services cost are connected to certain project tasks/activities that cannot be carried out by the project partners themselves and are therefore outsourced to external service providers. External service providers’ work must be necessary for the project and should be linked to activities foreseen in the application form. External expertise and services cost shall not duplicate costs already budgeted under staff costs or the task of project management team. In this respect, no activities that are foreseen to be externalised will be also performed by partners’ own staff (…)". |
| **III. 11** | Should all partners have information and publicity costs? | The communication activities are an essential part of any type of project and effective communication is a key element of successful projects. Therefore, each project is required to set out the envisaged approach to communication and visibility of the project. Also, according to the Communication starter kit (<https://interregviarobg.eu/en/project-implementation-manual>), “communicating the use of European Funds in your project is mandatory for everyone who wishes to receive them.” The communication activities are correlated to the communication objective set at the level of each Work Package. These activities can be developed and implemented jointly by all partners, or split for each partners, depending on the type of the project (including for e.g. investments, soft activities etc.) and communication objectives. However, please have in mind that at the project level you should observe the mandatory provisions on communication set by the Communication starter kit and the Visual Identity Manual, but in the same time each partner should comply with the EU rules regarding the visibility requirements. |
| **III. 12** | As a project manager at a national federation of trade union organizations in the education sector, I would like to clarify the following aspects regarding the eligibility of applicants under the INTERREG VI-A Romania-Bulgaria program, Priority 3: An educated region, Specific Objective 4.2:1. Eligibility of the national trade union federation as Lead Partner or Partner: Our federation, being a national trade union organization with branches in most counties, including the eligible area of the project, is it eligible to apply as a Lead Partner or Partner within this project? We have branches actively operating in the program area, and centralized coordination and implementation would bring significant benefits to the project.2. Application procedure: If our federation is considered eligible, we would like to know whether we can participate directly as a national entity or if the trade union organization from the eligible county needs to submit the application. It is crucial to understand if our national structure can be officially recognized and accepted as the main applicant, given that our branches in the eligible area will be responsible for implementing the specific activities. | 1. The details provided by you are not enough to show if your institution is included in the situations described within the Applicants Guide, regarding the eligibility of the applicants. Still, there are two possible scenarios: a. the national federation could be considered eligible partner for financing and can apply as a Lead Partner under the present call for proposals if it is registered and functioning in the programme area and observes the eligibility conditions set by Applicant Guide;b. in case the national federation headquarter is not situated in the programme area and the branches of the national federation are not registered as legal bodies, the application should be submitted by the national federation headquarters indicating the office/ branch responsible for implementing the activities “If those offices/branches which are functioning in the programme area are not legal bodies, the Application should be submitted by their Headquarters indicating the office/ branch responsible for implementing the activities.” In this scenario the national federation can apply only as Partner within the project. Please note that the project activities must be in the interest of the Programme and should be implemented in the Programme area, regardless of the location of the partner’s headquarters. Please note that if the organization is an LTD, it is not eligible for financing under present call for proposals.2. See the two possible scenarios from the answer of question no. 1.Still, please be informed that the eligibility of the partners is to be analyzed during the evaluation process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicants Guide. The Managing Authority or the Joint Secretariat may request, at any time, additional documentary evidence and argumentations regarding the eligibility of applicants. |
| **III. 13** | 1. A partner can be involved only in activities, without managing the budget?2. It is mandatory to have a local authority within the partnership? | 1. The Programme offers the possibility for a project to have associated partners. The associated partners are involved in the project without financially contribution. Therefore, they will not receive funds from the Programme, but they will have to participate with their own funds. Also, the associated partners do not account for the fulfilment of the minimum partnership requirements. Thus, an associated partner can be involved in the project’s activities without having a budget allocated within the project.2. It is not mandatory to involve a local authority within the partnership. |
| **III. 14** | Dear Joint Secretariat Team,We are an Romanian NGO, non-profit and would like to join a project initiated by two local authorities.Please let us know if the selection procedure for the associated partners is the same as for the regular partners.Thank you in advance for your kind support! | Please consider that according to the provisions of the Applicant's Guide, the selection process for the associated partners included in a project proposal submitted under Interreg VI-A Romania – Bulgaria Programme, will be mainly directed to check if the organization is legally responsible for the field of interventions/policy domain addressed by the project and has added value for the partnership and the project (including from the perspective of the outputs and results). Thus, you should ensure that involvement in the project can improve the planning, development of project outputs and results and the multiplier effect. The respective information on the involvement should be duly provided in the relevant sections of the application form.Please be aware that in accordance with the Applicant's Guide, associated partners are applicants involved in the project without financial contribution and therefore will not receive ERDF funding or other types of funding from the Programme. Expenditure incurred by the associated partners might be borne by any of the financing project partners in compliance with the applicable eligibility rules and with public procurement rules. |
| **III. 15** | We are currently in the development stage of a project application that we intend to submit under the INTERREG VI-A Romania-Bulgaria Programme, Priority 3: An Educated Region (Specific Objective 4.2 - Improving equal access to educational, training, and lifelong learning services through the development of accessible infrastructure, including by promoting resilience for distance and online education and training).**We are a consortium consisting of 3 partners:** Romania:* a **prison** within the program area (**Craiova)**
* the **National Administration of Penitentiaries**, outside the programme area (**Bucharest**):

Bulgaria* the **General Directorate "Execution of Sentences**," the headquarters of the prison system from Bulgaria, outside the program area (**Sofia**), **but the "final beneficiary" is the prison in Belene (which is located in the programme area)**

As part of our funding request**, the role of the applicant is held by the prison within the program area (Craiova).** **Can we apply with this partnership structure, considering that from Bulgaria, there is only one partner from outside the programme area?**Please find bellow a brief description of the **General Directorate "Execution of Sentences (Bulgaria)** partner's role at the national level within the penitentiary system:*“The General Directorate “Execution of Sentences“ (GDES) is a specialized administrative structure, a legal entity under the Ministry of Justice with headquarters in Sofia. The Directorate exercises direct management and control over the activities of places of deprivation of liberty and probation services. Its activity is regulated by Law on Execution of Sentences and Detention in Custody and is related to the execution of sentences of life imprisonment, deprivation of liberty and probation, and the measure of remand in custody in places of deprivation of liberty. The General Directorate “Execution of Sentences“ ensures the management of a unified system for the execution of sentences, based on effective professional standards, in which detainees and convicts are dealt with humanity, in a functional and transparent manner. The penitentiary system protects society from offenders by isolating and correcting them. In this way, their opportunities to commit new crimes are limited and conditions are created for their resocialization, in order to comply with the laws and good manners in society. In the frame of the project initiatives and partnerships between the Bulgarian prisons or probation services, GDES is the only legal representative and capital project partner. It will only have administrative role. Belene Prison will be the main beneficiary and target group. It will have powers to perform activities.* *The territorial offices of GDES are: 12 prisons with 26 prison hostels of open and closed type; 1 correctional home for underage boys at Vratsa prison and 1 correctional home for underage girls at Sliven prison; 7 Regional services “Execution of Sentences“.* *Detained and imprisoned men of the closed type hostels from Dobrich, Silistra, Razgrad and Ruse districts are accommodated in Belene Prison. In addition, in 2017, an open-type prison hostel “Belene” was opened at the prison, in which detainees of the open-type category from the districts of Razgrad and Silistra were accommodated. The capacity of Belene Prison is to accommodate 395 detainees and the capacity of the prison hostel building is to accommodate 70 open-type detainees, which are accommodated separately and on external work sites.”*The final beneficiary of the project (from the Bulgarian partner) will be Belene Prison.The idea of the project it is the cooperation between prison from Craiova (Romania) and prison from Belene (Bulgaria), in which points of cooperation would be specified, setting up the project, developing the project through renovation of infrastructure, purchase of new building and virtual reality (VR) equipment and elaboration of a training programme for prison staff.Through collaboration between Bulgaria - Belene Prison and Romania - Craiova Prison, on the one hand, practices and experiences will be exchanged, and on the other hand, the development of prison staff skills and provision of contemporary technologies will help the establishment of bilateral regional cooperation, which will be in compliance with the objectives and interests of both countries and those of the European Union countries. | Please be informed that according to the provisions of the **Applicant’s Guide for the open call for the operations under Priority 3, Policy Objective 4, SO 4.2 - Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training**, there are established eligibility criteria which must be fulfilled by the applicants and as a general rule, can apply for this call entities which have their headquarters in the eligible area of the Programme.Still, the Applicant’s Guide provides also an exception from this rule, giving the opportunity to apply to the current call for operations also to the entities from Romania and Bulgaria which have their headquarters outside the Programme area, but in this case the following criteria must be fulfilled:“- Are competent in their scope of action for certain parts of the eligible area (e.g. ministries, national agencies, research institutes, organizations etc.); - 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. - They cannot take the Lead Partner role.”Hence, please be informed that the eligibility of the partners will be analysed during the evaluation process, based on the justification documents submitted and in accordance with the eligibility criteria of the applicants listed in the Applicant’s Guide.During the assessment process, the assessors may request additional documentary evidence and argumentations regarding the eligibility of applicants.  Also, please consider that, according to the provisions of the Applicant’s Guide, **the applicants from Romania and Bulgaria but outside the Programme area, cannot take the Lead Partner role.**Moreover, please take into consideration the following provisions from the Applicant guide related to the location of the activities: *“The Interreg VI-A Romania-Bulgaria Programme supports project activities that are implemented in the Programme area. The applicants are asked* ***to demonstrate that those activities have cross-border character and impact on the Programme area and contribute to the objectives of the Programme.****By exception, activities outside the Programme area can be implemented in duly justified cases. In such cases, the following requirements must be observed by the concerned activities:** *They are for the benefit of the Programme area*
* *They are essential for the implementation of the project*
* *They are explicitly foreseen in the application form.*

*The purchased equipment must be located, installed and used in the Programme area.**Under 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.”*In conclusion, you may apply within the 3rd call for applications in the framework of the Interreg VIA RoBg Programme with the partnership structure described, but should take into consideration all the eligibility criteria of the applicants as listed in the Applicant’s Guide. |
| **III. 16** | Should all the Bulgarian participants (public authorities, entities etc.) be based in North Bulgaria, meaning the Bulgarian – Romanian border region, or this is not taken in consideration? Also, are there any specific requirements to the public authorities? Is that call part of Interreg Danube, or is a separate initiative? | First of all, we would like to inform you that the present 3rd Call dedicated to operations under Priority 3, Policy Objective 4, SO 4.2 is launched in the framework of the Interreg VI-A Romania-Bulgaria Programme.In regard to your question whether all the Bulgarian participants (public authorities, entities etc.) should be based in North Bulgaria, meaning the Bulgarian – Romanian border region, please be aware that in accordance with the provisions of the Applicant’s Guide,  the applicants, located outside the Programme area, but from Romania and Bulgaria, can also participate in projects, but only in exceptional cases, namely if they: 1. Are competent in their scope of action for certain parts of the eligible area (e.g. ministries, national agencies, research institutes, organizations etc.);
2. Carry out activities that are beneficial for the Programme area;
3. Their participation must bring clear added value and expertise to the implementation of a project and has to be beneficial for the Programme area;
4. They cannot take the Lead Partner role.

Regarding your question on if there are any specific requirements to the public authorities, please be informed that all applicants shall observe the eligibility conditions described within the Applicant’s Guide:* Prove their competence in the field and the activities envisaged under the project through ownership acts, legal acts/strategies/action plans references, etc.
* Not be in any of the situations mentioned under Art. 136 of REGULATION (EU, Euratom) 2018/1046
* In case of infrastructure envisaged, the applicants should be the owners of the given territory/building subject of that investment activities. For Bulgarian partners, in case of infrastructure, the investment activities should be carried out on public property (both public and private domain of the state/municipality)
* For both types of projects: small scale and regular projects (soft and hard type of operations), the partnership should include project partners or associated project partners legally responsible for the field of interventions/policy domain addressed by the project and who will be the user of the project outputs.

Regarding the last question, if the call is part of Interreg Danube, or is a separate initiative, please be informed that the call is launched within the framework of the Interreg VI-A Romania – Bulgaria Programme, without any connection to Danube Programme calls. |
| **IV. Applicant’s Guide and Annexes** |
| **IV.1** | I would like to ask about the rules of this call after reviewing the Q&A list on the program's website for similar questions.1. Is there a maximum restriction on the number of projects that an organization can apply for as a Lead Partner (LP) (on this call)? 2. Is there a maximum restriction on the number of projects that an organization can apply for as a Partner (on this call)? | Please be informed that the rule regarding the maximum number of projects that a partner may have simultaneous is related with the project implementation and not with the stage of preparation/submission or approval of the project for financing.In this regard, it is mentioned in the Applicant Guide that: “the Managing Authority has the right to decide not to sign a financing contract in case a Partner already has in implementation 4 projects. After the finalization of one project the decision may be reconsidered, provided the financial allocation is available.”Therefore, there is no restriction on the number of projects an organization may submit as a Partner or Lead Partner. |
| **IV.2** | Could you please confirm that for small scale projects ANNEX A9- Financial Capacity Self assessment for lead partner and project partners, as well as balance sheet and profit and loss account, are not applicable, as stated in the Annex: This tool has to be filled in by lead partners and project partners in order to self-assess their financial capacity for implementing regular projects funded by the Interreg VI-A Romania-Bulgaria Programme. | In response of your question, first of all, we would like to emphasize that the administrative compliance and eligibility check is to be analysed during the evaluation process, based on the documents mandatory for all applications submitted, in accordance with the administrative compliance and eligibility criteria of the applicants as listed in the Applicants Guide for Priority 3 and approved by the Monitoring Committee.In accordance with the Applicant’s Guide provisions, all partners should dispose of the expertise, resources and capacity to fulfil their designated tasks. In this respect, all applicants must state their financial and administrative capacity to manage their share of the project, regardless of the type of operation.Therefore, in the order to assess the financial capacity of the partners, Annex AF\_A9 Financial Capacity Self-Assessment must be provided, together with the balance sheet and profit and loss account and the plan, if the case.The financial capacity of the applicant is verified during Phase 1 of evaluation - Administrative compliance and eligibility check, under point 18 - The partners have the capacity to ensure their own contribution and the financing for non-eligible expenditures of the project; they must also have the capacity to ensure the temporary availability of funds until they are reimbursed by the programme. If, following the verification of all the submitted documents (requested by the Applicant Guide), it is considered that the respective applicant does not have the financial capacity to implement the activities, the project will be rejected.Considering the technical error of not including also Small scale projects within “Introduction” section of the Annex AF\_A9 Financial Capacity Self-assessment, a clarification is necessary to be made. Therefore, with the approval of the Programme structures, the Annex A9 to the Applicant’s guide for operations under PO4, Priority 3 will be soon updated by including the Small scale projects, as well in order to be aligned with the provisions of the Applicant’s guide .Please be informed that, in the event of a conflict or inconsistency between any provision contained in the body of Applicant’s Guide and any provision contained in its annexes, the provisions contained in the Applicant’s Guide shall prevail. |
| **IV.3** | 1. AS peg GfA 10. Declaration (Annex AF\_A10) for the absence of the circumstances under Art. 5l of Council Regulation (EU) No. 2022/576 of April 8, 2022 amending Regulation (EU) No. 833/2014 on restrictive measures in view of Russia's actions destabilizing the situation in Ukraine. In case the Applicant does not observe the conditions set in this Annex, the project shall be rejected, without any assessment. This annex should be submitted only by private organizations. In the Checklist of submitted Lead Partner/Partner mandatory documents - Annex AG\_L is not possible this ANNEX to be marked as not applicable. Is it compulsory this Annex to be submitted by all applicants?2. In the Financial Capacity Self-assessment (Annex\_ A9) it is stated in the Annex: 1Introduction: Disclaimer: This tool has to be filled in by lead partners and project partners in order to self-assess their financial capacity for implementing regular projects funded by the Interreg VI-A Romania-Bulgaria Programme. In the Checklist of submitted Lead Partner/Partner mandatory documents, the Financial Capacity Self-assessment (Annex\_ A9) also is not possible to be marked as not applicable.Could you please clarify if this Annex is mandatory for all type of operations, including Small-scale projects, or it is applicable only for Regular projects, that include Soft operation and Hard operation. | 1. Please be informed that Annex L Checklist of submitted Lead Partner/Partner mandatory documents is not a mandatory document to be submitted by the partners together with the Application form. This checklist was designed to be a tool for the internal use of partners to support them in the process of verifying the mandatory documents to be submitted with the Application form in order to ensure that you do not forget anything. Therefore, the partners should fill in and submit the Annexes according to the requirements of the Applicants Guide. This means that the Annex A10 Declaration for the absence of the circumstances under art.5l of Council Regulation (EU) No.2022/576 should be submitted only by private organizations. 2. As for the Annex A9 Financial Capacity Self-Assessment, please be informed that in accordance with the Applicant’s Guide provisions, all partners should dispose of the expertise, resources and capacity to fulfil their designated tasks. In this respect, all applicants must state their financial and administrative capacity to manage their share of the project, regardless of the type of operation. Therefore, in order to assess the financial capacity of the partners, Annex AF\_A9 Financial Capacity Self-Assessment must be provided, together with the balance sheet and profit and loss account and the plan, if the case. The financial capacity of the applicant is verified during Phase 1 of evaluation - Administrative compliance and eligibility check, under point 18 - The partners have the capacity to ensure their own contribution and the financing for non-eligible expenditures of the project; they must also have the capacity to ensure the temporary availability of funds until they are reimbursed by the programme. If, following the verification of all the submitted documents (requested by the Applicant Guide), it is considered that the respective applicant does not have the financial capacity to implement the activities, the project will be rejected.Considering the technical error of not including also Small scale projects within “Introduction” section of the Annex AF\_A9 Financial Capacity Self-assessment, a clarification is necessary to be made. Therefore, with the approval of the Programme structures, the Annex A9 to the Applicant’s guide for operations under PO4, Priority 3 will be soon updated by including the Small scale projects, as well in order to be aligned with the provisions of the Applicant’s guide.Please be informed that, in the event of a conflict or inconsistency between any provision contained in the body of Applicant’s Guide and any provision contained in its annexes, the provisions contained in the Applicant’s Guide shall prevail. |
| **IV.4** | According to the Applicant guide, "Offices/ branches of public national/regional authorities and other public bodies active on the themes of the priority in the programme area (registered and functioning in the programme area). If those offices/ branches which are functioning in the programme area are not legal bodies, the Application should be submitted by their Headquarters indicating the office/ branch responsible for implementing the activities."Is it correct that if the offices/ branches, functioning in the programme area, are legal bodies, they are the applicants whо submit the project proposal, not the national/regional authority? If so, what documents are needed from the headquarters? | To clarify the question regarding the Applicant’s Guide for Priority 3 – An Educated Region, Specific Objective 4.2, please see below the answer:The provision in the Applicant’s Guide refers to institutions that do not have the headquarters in the eligible area. In your case, if the respective institutions have offices/ branches, functioning in the programme area, which are legal bodies, these branches may participate as partners in the project. The main institution who is located outside the Programme may still participate in projects, however there are some limitations: “Applicants, outside the Programme area, but from Romania and Bulgaria, can also participate in projects, but only in exceptional cases, namely if they:- Are competent in their scope of action for certain parts of the eligible area (e.g. ministries, national agencies, research institutes, organizations etc.);- 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.They cannot take the Lead Partner role.”. As regards the documents needed from the headquarters, those are the founding legal documents, and documents that prove the connection between the headquarter and the office/branch.Also, please consider that, during the assessment process, the assessors may request additional documentary evidence and argumentations regarding the eligibility of applicants.  |
| **IV.5** | In Phase 1 sheet of the Evaluation grids (Annex Ag-A evaluation grids\_SO 4.2) criterion 7 is as follows: “The feasibility study/ Conceptual Design/work projects has been submitted (in English) and is elaborated or updated earlier than one year before the deadline for submission (for investment projects)”.Please, confirm the stated period of elaboration of the investment project, because it is not in line with the Applicant’s guide (section 3.3. Required documents to be submitted with the AF, part B): “For Bulgarian partners it should be annexed: preliminary design (including estimation of bill of quantities and values) or technical design.“In order to evaluate the technical characteristics of an investment project, the applicants must annex the above document to the application form. Its elaboration and approval must observe the national provisions”in this matter “. The national provisions of this matter provide another period.Neither it is in line with the following requirement in the Applicant’s guide (section 3.3. Required documents to be submitted with the AF, part B) provided that it is relevant to investment projects.: The Feasibility Study should not have been elaborated/ updated/ revised more than one year before the deadline for the present call for proposals (the document must bear the date of elaboration/revision). Feasibility Study should be submitted in English, as an annex to the application form and should be accompanied by the legal agreements and approvals according to national legislation in force. | Regarding your question, we confirm the fact that the technical documentation for all partners (Romanian and / or Bulgarian partners) should be elaborated / updated / revised no later than one year before the application deadline.In relation to the provisions from the Applicant’s Guide regarding the elaboration and the approval of the ***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*,  the obligation to comply with national legislation is related to the elaboration and approval of the documentation and not to the period when the document should be elaborated (which is clearly defined by the Programme and not by the legislation as it is reported to the deadline of submission of the application).In conclusion, our advice is that you should observe the national legislation in what concerns the elaboration and approval of the **preliminary design (including estimation of bill of quantities and values) or technical design,** namely the **Ordinance No. 4 of 2001 on the scope and content of investment projects** and, also, the requirements of theApplicant's guide, namely that the document ***should not have been elaborated/ updated/ revised more than one year before the deadline for the present call for proposals.”*** |
| **IV.6** | The Teleorman County Council intends to submit a project application within the Interreg VI-A Romania – Bulgaria Programme.Considering chapter 3.3 – Required documents to be submitted with the application form in the applicant's guide:We would like to ask you about Annex B3 – Urban planning permit, please clarify if it is an authorization for construction? | Please be informed that the urban planning permit (Annex B3) is the document which, according with the Romanian national legislation is called ”certificat de urbanism” (see Law 350/2001 on territorial development and Law 50/1991 regarding the authorization of the execution of construction works with all modifications and updates).The authorization for construction (”autorizaţia de construcție”) shall be submitted during the implementation of the project, if your application will be selected for financing and contracted. |
| **IV.7** | In the Applicants guide, within 2.6. Types of operations financed under the call is stated:"2.6. Types of operations financed under the call: Soft operation: Has works/infrastructure/equipment component below 50% of the eligible budget (cumulated value or stand-alone budget)"Question:Does this mean that:Project with less than 50% equipment of the eligible budget, which contains no works/infrastructure and is between 300,001 Euro and 750,000 Euro, will be considered Soft operation? | The answer to your question is yes but please have in mind that the maximum duration of the project shall not exceed 18 months from the start date of the project. |
| **IV.8** | In the results of the capacity self-check, it is written that if it is colored red - "the corresponding partner must provide a plan for ensuring the financial resources and the mechanism to cover the financial cash-flow of the project and the operation and maintenance costs of the project".Should such a plan be submitted with the application form and in what way? | Regarding the necessary documents in order to prove the financial capacity to implement the project, according to the Applicant Guide the applicants shall provide: **Financial Capacity Self-assessment - in Excel file format and electronic signed by the legal representative of the organization (Annex AF\_A9), together with the balance sheet and profit and loss account.** Please bear in mind that in case the results reveal that the subvention, liquidity and debt rate are higher than the set threshold (red risk), the corresponding partner must provide a plan for ensuring the financial resources and the mechanism to cover the financial cash-flow of the project and the operation and maintenance costs of the project. There is no format/template provided by the Programme. The partner shall decide on the format, providing information on how the partner shall ensure the financial resources and the mechanism to cover the financial cash-flow and maintenance costs of the project.The plan for ensuring the financial resources and the mechanism to cover the financial cash-flow of the project and the operation and maintenance costs of the partner *must be submitted with your project proposal application form* uploaded in section "Application annexes", certified through electronic signature by the legal representative of the organization.Please bear in mind that in case this plan is not provided or is not realistic, the project may be rejected from financing. This will be verified during the assessment process of the project. |
| **IV. 9** | 1. The partnership agreement can be signed before signing the financing contract?2. The DNSH form is just a form to be signed, is there a template for analysis we should include?3. Annexes such as DNSH are signed by all partners or only by the lead partner for all partners?4. The ownership/legal act should still be provided for priority 3 projects- training projects? | 1. As mentioned within the Applicant’s Guide, “All partners participating in a project must sign a partnership agreement before the signing of the subsidy contract with the MA.”. Therefore, the partnership agreement must be signed before signing the financing contract. Please be informed that the partnership agreement is not requested at the submission of the project’s proposal, but at the pre-contractual phase.2. Annex A7 DNSH declaration has a standard form, which can be consulted at <https://interregviarobg.eu/en/calls-for-proposals>. When developing the application and the technical documents and before filling in the DNSH declaration, you should take into consideration the adaptation measures identified in the Annex AG\_I DNSH Interreg VI-A Romania-Bulgaria level, corresponding to the Specific Objective 4.2 - Improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training. Annex AG\_I can be found at <https://interregviarobg.eu/assets/2024/03/ag-i-dnsh-interreg-vi-a-robg-level-42.pdf>. Also, please take into consideration that you also need to detail this in the project proposal, under section C.7.6 Horizontal Principles - Sustainable development (as set out in article 11 TFEU, taking into account the UN Sustainable Development Goals, The Paris Agreement and the “Do No Significant Harm” principle).3. Annex A7 DNSH declaration should be filled in and electronically signed by each project partner, including the Lead Partner. However, each annex to the Application Form is different, having its specificity, while one have to be signed by each partner, individually, others have to be signed by all partners, at project’s level. In this sense, please properly check the description of each annex before completing it.4. The documents certifying the ownership status of the land and/or the building (please observe the provisions of Applicant’s Guide, section 3.3. Required documents to be submitted with the Application form, 5. Documents certifying the ownership status of the land and/or building (Annex AF\_A5)) are mandatory documents that should be submitted for all investment projects (please consult the definition section of the Applicant’s Guide) and depend the type of the partner’s organization. However, for justified reasons, if the documents certifying the ownership status are not available and are not submitted together with the application form, a declaration on own responsibility regarding the ownership status can be issued and electronically signed by the concerned project partner, in order to be submitted with the application form. Please note that those documents certifying the ownership status of the land and/or building will be submitted in the pre-contracting period, otherwise the project will be proposed for rejection from financing. |
| **IV. 10** | For me is not clear how to sign State Aid Self-Assessment, sepparately by every project partner (including LP) or at one document with electronic signatures of them all? It is written there that The State Aid Self-Assessment must be filled in and signed by every partner, but the form assumes that everyone's signatures must be on the same document. | Please consider that according to the provisions of the Applicant's Guide, "Annex AF\_A3 State Aid Self-Assessment must be filled by each partner and submitted with the application". Therefore, the annex must be filled in individually by each partner (a separate declaration for each partner), electronically signed and submitted with the application. Two aspects are necessary to be determined before the State aid tests can be applied, namely: "Is the beneficiary an 'undertaking'?" and "Is an undertaking engaged in economic activity?". These aspects apply to each partner individually, not to the project as a whole. While the signatures of all project partners are mentioned at the end of the annex, their purpose is to emphasize that each partner must complete this declaration. However, the applicant must specify in what capacity they are completing the annex—either as the lead partner or as a partner—and delete any references to other partners accordingly.In addition, please bear in mind that no state aid is granted under this call. |
| **IV. 11** | Article 14, par 8 of ANNEX AG\_B List of eligible expenditures 4.2 is as follows:Where applicable, works must have been previously authorised by national/regional/local authorities (building permits); According to the Applicant’s Guide and the list of applicable documents, at the time of submission of project proposal a building permit is not required. In section 3.3. Required documents to be submitted with the Application form, part B. Documents to be submitted depending on the specificity of the application (the costs related to these documents are reimbursed by the Interreg VI-A Romania-Bulgaria Programme based on real cost principle) is specified that for Bulgarian partners it should be annexed: preliminary design (including estimation of bill of quantities and values) or technical design.According to Bulgarian legislation a building permit could be issued either at delivery of a preliminary design to the authorities, or later, after developing the preliminary design to the next stage – technical design. The question is: The building permit, which authorizes works, must accompany the preliminary design at project proposal submission in order works to be considered eligible expenditure or, a building permit could be issued later, after project proposal submission, or even during project implementation in order works to be eligible expenditure. | According to the Applicant’s Guide and Annex L Checklist of mandatory documents, no building permit is required from Bulgarian partners at the time of project proposal submission.However, please note that the process of obtaining of a building permit is a long process and can sometimes take longer than expected (for example: due to environmental restrictions, historical or archaeological restrictions, road restrictions/safety restrictions), therefore it is in your interest to obtain planning permission as soon as possible. |
| **IV. 12** | Together with the colleagues from the University of Craiova, I am working to a hard application for call 3. An educated region, specific objective SO 4.2. We are planning to develop:1. A modular construction made of overlapping metal containers, with walls made of heat-insulating panels (213mp), equipped with electrical and sanitary installations, with double-glazed windows, doors and internal stairs. The construction is intended to be mobile, in the sense that we want to be able to move it from one location to another. The purpose of the construction is educational. We want this space to allow our students to work both individually and in team, being involved in extracurricular or even curricular activities.2. A covered sports field (we will purchase a mobile roof that will allow our students to do performance sports even when the weather conditions are unfavorable outside).Could you tell me if urban planning and environmental permits are required to make this purchase? Possibly, what other documents are needed and should be obtained before submitting the application? | According to the Romanian legislation - Law 50/1991 with all updates and republications, regarding the authorization of the execution of construction works, art. 3, para. 1, the construction works foreseen at letter d), “fences and urban furniture, landscaping of green spaces, parks, playgrounds and leisure, markets and other public space landscaping works” and letter h), “construction works of a temporary nature: kiosks, booths, cabins, exhibition spaces, bodies and display panels, companies and advertisement, canopies and pergolas located on roads and public spaces, household annexes, as well as household annexes of agricultural holdings located outside the village” can be realized only in compliance with the building permit, as well as with the regulations regarding the design and execution of constructions.Therefore, the modular construction (letter h) and the covered sports field (letter d) are constructions that require, according to art. 1 of the Law 50/1991, “…building permit issued at the request of the holder of a real right over a building – land and/or buildings – identified by cadastral number, if the law does not provide otherwise”.In conclusion, in principle there is a need for urban certificate/ construction authorisation, but exceptions may apply depending on the very nature of the construction, construction characteristics and scope or its intended period of use, etc. (for example for temporary constructions for organization of events or temporary constructions for execution of another constructions there may not be a need for (construction authorization/urban certificate).The information about the location of the modular construction, if it will be located on public spaces on private domain, if it requires connection to public utilities (sewerage, electricity, gas etc.), its period of use on one location, etc. is missing from your inquiry, therefore, only the assessors may conclude if there is a need for urban certificate/construction authorization, when assessing all the information provided in the proposed application form.In order to facilitate a clear situation, we are recommending you to request the point of view of the local authorities where the modular construction will be placed in accordance with the location of the proposed activities for which this modular construction shall be used. When requesting the point of view, please clearly describe the characteristics of the construction, its scope of use, the intended period of use, if connections to utilities are necessary, etc. If a urban certificate proves to be necessary, the environment agreements shall also be necessary.In order to check all the necessary documents that must be submitted with the application form, please consult the Applicant’s Guide found at the link <https://interregviarobg.eu/assets/2024/05/applicant-guide-po-42-approved-amended-june-2024.pdf>.  |
| **IV. 13** | We are currently in the development stage of a project application that we intend to submit under the INTERREG VI-A Romania-Bulgaria Programme, Priority 3: An Educated Region (Specific Objective 4.2 - Improving equal access to educational, training, and lifelong learning services through the development of accessible infrastructure, including by promoting resilience for distance and online education and training).We have encountered difficulties in interpreting the applicant's guide, and therefore, we kindly request your support by providing a viewpoint on this matter:1. **Our project application that includes works classified under those that do not require a building permit. In the case of such a project, is it still necessary to upload Annexes of type B?**

**By "Annexes of type B," I am referring to*** Annex B1 to the Application Form - Cost-Benefit Analysis
* 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.
* Annex B3 to the Application Form (RO partners only) - Urban planning permit (mandatory for applications including infrastructure related activities – only Romanian partners) will be annexed to the Application Form. Only Romanian partners have to submit the urban planning permit.
* Annex B4 to the Application Form - Environmental agreement (mandatory for applications including infrastructure related activities) will be annexed to the Application Form.
* Annex B5 to the Application Form - Environmental Impact Report (if required by the legislation) and English translation (if issued in other language than English) will be annexed to the Application Form.
* Annex B6 Assessment of expected impacts of climate change (Documentation of climate proofing (maximum 30 pages).
1. **Regarding this section of the guide from the Annex B2 to the Application Form** (if completing Annexes of type B is necessary for our type of project):

*“The investments (works, infrastructure and equipment), for which the national legislation does not provide for the elaboration of a Feasibility Study/DALI or preliminary/technical design, the applicants should submit a detailed Bill of Quantities and Costs accompanied by the detailed explanations/plans/ measurements of the object/s of intervention, used for estimating the necessary works and costs.”***Is it sufficient to upload an internal estimated cost, estimate prepared by the institution's construction engineer?** | 1. Regarding the first question, related to the obligation to submit the “B” annexes, you should consider the following:a. According to the provisions of the Applicant’s Guide, **Annex B1 - Cost-Benefit Analysis** is mandatory only if the activities within the project will generate revenues for the partners.b. Please be informed that in accordance with the Applicant’s Guide the obligation to submit the **Annex B2 - 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** is subject of case by case analysis and it depends exclusively on the obligation foreseen by the national legislation for elaboration of a FS/DALI/TP for the respective envisaged infrastructure works and not conditioned by having or not a building permit.c. According to the provisions of the Applicant’s Guide, **Annex B3 - Urban planning permit** is mandatory for applications including infrastructure related activities. In addition to the provisions of the Applicant’s Guide, you must observe also the provisions of the national legislation related to territorial development and urban planning (Law no. 350/2001) according to which, “*The urban planning certificate is the mandatory information act through which the authority of the administration county or local public makes known the legal, economic and technical regime of the buildings and the necessary conditions in order to make investments, real estate transactions or other real estate operations, according to the law”.* Among other provisions, the Law no. 350/2001 states within article 29 paragraph (4) that *“The urban planning certificate does not confer the right to execute construction, landscaping or planting works”.* Which means that the urban planning permit and the building permit are two different documents and the issuance of the urban planning permit is not necessary related to the execution of the works, without following the appropriate steps in order to obtain the building permit. In principle, there is a need for urban certificate, but exceptions may apply depending on the very nature of the construction, construction characteristics and scope or its intended period of use, etc. Therefore, our recommendation is that you should request a point of view from the local authorities from the place where the construction will be executed regarding the need for urban certificate.d. **The Annex B4 - Environmental agreement**, is mandatory for applications including infrastructure related activities and shall be annexed to the Application Form.According to the Applicant’s Guide, the applicant shall provide an official statement / act from the competent authority which 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).e. **The Annex B5 - Environmental Impact Report**, will be submitted only if required by the legislation. In case the relevant authorities conclude that a full EIA is requested, you should provide the Environmental Impact Report, namely Annex B5.  f. **The Annex B6 - Assessment of expected impacts of climate change** is mandatory only for investments in infrastructure with an expected lifespan of at least five years (please consider the Commission Notice, Technical guidance on the climate proofing of infrastructure in the period 2021-2027 (2021/C373/01)).Therefore, the obligation to submit the Annexes B mentioned above depends on the type of investments that your project foresees, corroborated with the national legal provisions.  If the national legislation does not require the preparation of these documents (FS/DALI/TP), then you can send a detailed Bill of Quantities and Costs accompanied by the detailed explanations/plans/ measurements of the object/s of intervention, used for estimating the necessary works and costs.2. In relation to your second question, please be informed that according with the Applicant’s Guide the obligation for submitting the Bill of Quantities and Costs, accompanied by the detailed explanations / plans / measurements of the object of intervention belongs to the applicant, without further details in this regard. Therefore, regardless of who elaborates the respective documents (could also be an specialized engineer that is an employee of the applicant), it is mandatory that Bill of quantities and costs is assumed by the applicant (legal representative or empowered person) and it is accompanied by the detailed explanations/plans/ measurements of the object/s of intervention, used for estimating the necessary works and costs. |
| **V. JEMS** |
| **V.1** | I am a representative of an organization, which is an applicant in Interreg VIА - Romania Bulgaria Programme.Please confirm if the application should be submitted with an electronic signature of the Lead partner, or it should just be submitted without  any specific requirements.If you have frequently asked questions or a manual to work with JeMS, I would be grateful if you could send it to me. | Please be informed that since the application form shall be filled in and submitted in the JEMS electronic system, the actual format of the application form does not need to be signed by the legal representative of the Lead partner or of the partners. On the other hand, according to the provisions of the *Applicant’s Guide for the open call for the operations under Priority 3, Policy Objective 4, SO 4.2,* there are several other documents / annexes of the application form that shall be electronically signed by the legal representatives of the partners. In this regard, within Section 3 “How to develop a high quality project and how to apply”, Subsection 3.3. “Required documents to be submitted with the Application form”, it is specified the list of the mandatory documents which need to be submitted with the application form and that should bear the electronic signature of  the legal representative of the Lead Partner / partners. The entire package of the documents regarding the *Call 3 - Call dedicated to operations under Priority 3, Policy Objective 4, SO 4.2* is available on the Programme’s website at: <https://interregviarobg.eu/en/calls-for-proposals>.Also, for other aspects, you may also check the list of Questions and Answers related to the actual call, where you may find many other important aspects which may help you in finishing writing the project.The JEMS general manual can be consulted at [jems.interact.eu/manual/](https://jems.interact.eu/manual/).  |
| **VI. Budget** |
| **VI.1** | 1. During various activities, such as field research, trainings, etc., for the experts who are hired to implement them (researchers, trainers, translators), appear subsistence expenditures - for travel, food and hotel. Please note that this is the cost of external experts, not the project management team. How should these costs be budgeted – by including them in the price of the service (fee of the expert) or separately? If they are included in the fee, should this be mentioned in the attached offers? Please clarify this.2. Is it necessary for each partner to provide two offers for their costs, or is it enough to have two for a particular good/service for the entire project, provided that there is no difference in prices that will be used by all partners and regardless of which country - Bulgaria or Romania?3. Where are the costs of promotional materials, such as notebooks, pens and folders, necessary for carrying out project activities (notmanagement) planned? Аs external services?4. Since the definition of "investment" also includes software, is the project website considered such software? If there is such a site, where in the budget are the costs for it planned?5. What is the project closing amount for and is it possible for the project budget to cover a closing conference beyond this amount? Could such a conference be a separate work package? | Following your e-mail bellow please find the responses to your concerns, as follows:1. During various activities, such as field research, trainings, etc., for the experts who are hired to implement them (researchers, trainers, translators), appear subsistence expenditures - for travel, food and hotel. Please note that this is the cost of external experts, not the project management team. How should these costs be budgeted – by including them in the price of the service (fee of the expert) or separately? If they are included in the fee, should this be mentioned in the attached offers? Please clarify this.Please be informed that all the costs regarding the performance of an externalized activity shall be included within the external service contract to be signed with an external contractor. Nevertheless, please be informed that, according with the Applicant's Guide, "the partner shall have to prove that the expertise and services to be contracted under External expertise and services is not available at the level of the project management team and that the Staff costs are not already financing the type of external expertise and services (to be) contracted".2. Is it necessary for each partner to provide two offers for their costs, or is it enough to have two for a particular good/service for the entire project, provided that there is no difference in prices that will be used by all partners and regardless of which country - Bulgaria or Romania?Since each item shall be supported by offers, according to the Applicants Guide, each beneficiary shall provide offers or independent evaluation for each element of cost they need to include in the budget of the project.3. Where are the costs of promotional materials, such as notebooks, pens and folders, necessary for carrying out project activities (not management) planned? Аs external services?The costs related to promotional materials, should be framed within External expertise and services costs budgetary line.4. Since the definition of "investment" also includes software, is the project website considered such software? If there is such a site, where in the budget are the costs for it planned?The Programme does not consider websites as necessary to ensure communication at project level. If your project really needs to develop a website, it should be well justified and more related to the content part of the application (technical aspects) and not just to comply with the requirements of information and publicity. If such a website would be proven as necessary, it shall be eligible under External expertise and services costs if developed by an external company or supported under the staff costs, if developed by the partner's own staff.5. What is the project closing amount for and is it possible for the project budget to cover a closing conference beyond this amount? Could such a conference be a separate work package?As described within the Annex C Methodology for using a lump sum of 6,500 euro for project closure " The project closure expenditures are granted for: Staff costs necessary for the drafting of the final report (monthly average staff costs for one project manager, one financial officer and one communication officer were considered for the calculation of the lump sum)." Organization of the final conference can be included within one of the project's working packages, as information and communication activity.In the same time, the email address for addressing questions regarding the 3rd Call for Proposals is helpdesk\_robg@calarasicbc.ro. Also, please note that, all the questions and answers (Q&A) concerning the Programme funding, application form content, the technical functioning of Jems also, are published on the Programme website, in a dedicated section and they are regularly extended and updated, <https://interregviarobg.eu/en/apply-for-funding>. In this respect, projects are invited to consult the Q&A section for updates. |
| **VI. 2** | Is lump sum obligatory to use? Will be reduced from the total amount of the project budget? | The Programme is offering the option of simplified costs in order to simplify and remove the administrative burden of checking the documents, related with the project preparation and closure. In case the partners decide they do not need lump sum for preparation and/or closure, this will not impact your overall budget. Also, the lump sums will not be included in the basis for the flat rates used by the Programme (flat rate for staff costs, flat rate for travel and accommodation, flat rate for office and administrative costs).However, please take into consideration that the lump sums may cover the following costs:a) Lump sum for project preparation of 14,000 (total value) - covers the expenditures generated by the development of applications for financing, including the annex mandatory for all applications as listed in A. Documents mandatory for all applications. The project cannot request for reimbursement based on real costs the types of expenditures covered by the lump sum for preparation costs.b) Lump sum for project closure of 6,500 Euro (total value) – covers expenses necessary for closing the project. Reimbursement of the granted lump sum for project is linked to the delivery of predefined output (respectively the approved final project report). The partners cannot report costs covered by the lump sum for project closure under any other cost category.In this regard, it was considered that for all projects these expenses would be necessary. |
| **VI. 3** | During the implementation period, the pre-financing mechanism is also applied for the financial component coming from EU? | Within the Interreg VI-A Ro-Bg Programme, pre-financing is awarded in the form of advanced payment. There are 3 sources of financing under the Programme: 80% ERDF (EU funding), 18% State Budget and 2% own contribution.  After signing the national co-financing contract (for the 18% financed form the state budget), each partner has the possibility to request an advance payment. The Romanian partners shall submit to the MA an advance request for maximum 70% of the value **of its co-financing contract**, except for those partners which are fully financed from the State budget. |
| **VI. 4** | How to understand the requirement "Has works/infrastructure/equipment component below 50% of the eligible budget (cumulated value or stand-alone budget)". If, for example, there are 3 partners, both do not have /infrastructure/equipment component and the third partner has almost only /infrastructure/equipment component but in the total project budget /infrastructure/equipment component is less than 50%, is this allowed? | We understand that one of the partners’ budget is made almost entirely of expenditures related with infrastructure costs, but at cumulated level, the project’s eligible budget is composed of less than 50% of expenditure for infrastructure and works and equipment. In this regard, the definition within the Applicant’s Guide for the regular projects details that:* Soft operation – is a project that has works/infrastructure/equipment component below 50% of the eligible budget (cumulated value or stand-alone budget).
* Hard operation – is a project that has an infrastructure/works component/ equipment equal or more than 50% of the total project eligible budget (cumulated value or stand-alone budget).

The threshold is calculated at project total budget, not individual partner budget.Therefore, considering your example and the definition for hard/soft regular projects, the project is within the category of soft operations. In conclusion, for your example, it is allowed to apply if the other eligibility conditions are observed (for example, a maximum of 700,000 eligible budget for soft operations) and if the logic of intervention, including the distribution and design of the project and partner’s budget is duly justified.Please also pay attention to the fact that, when framing the project within one category of operations, you shall take into considerations the fact that the total value of the project shall also be an element of analysis, because the small scale projects of up to 300,000 euro (which are not divided within hard/soft operations) may also include infrastructure expenditures (small investments in infrastructure and educational facilities and endowments - e.g. small repairs to buildings), regardless of their percentage within the budget of the project or of the partner.Please be informed that the assessors will consider and assess your project during the evaluation process based on the information and data provided in the submitted project. |
| **VI. 5** | I would like to ask, can each of the partners on the project sign a contract with an external expert for the preparation of tender procedures and contracts, which to be budgeted as an external service in the budget? | External expertise and services costs are connected to certain project tasks/activities that cannot be fulfilled by the project partners themselves and are therefore outsourced to external service providers. These services include external expertise related to the organization of public procurement. Given that not all partners can develop a tender for public procurement from their own staff, partners can award the service separately, regardless of other partners.However, please take in consideration that in accordance with the Applicant’s Guide provisions “*External expertise and services cost* ***shall not duplicate*** *costs already budgeted under staff costs or the task of project management team. In this respect, no activities that are foreseen to be externalised will be also performed by partners’ own staff (for example in case of projects externalising parts or hole of the project management,* ***including external expertise related to the organization of the (public) procurement****, services related to the financial or technical reporting, or other activities). In case project management is externalised, the flat rate option for staff costs* ***shall be accordingly diminished****.*” and “*Considering the flat rate for Staff cost category, please be aware that* ***only external expertise and services for very technical/specific documents/contribution for the project implementation is allowed****. In justifying the need for such expertise from the phase of drafting the Application Form and planning the budget, the partner* ***shall have to prove that the expertise and services*** *to be contracted under External expertise and services* ***is not available at the level of the project management team*** *and that the Staff costs are not already financing the type of external expertise and services (to be) contracted. Thus, the percentage of staff flat rate shall be adjusted accordingly by deducting the corresponding amount for external expertise from the calculation basis for the flat rate for Staff costs*. |
| **VII. Horizontal issues**  |
| **VII.1** |  |   |
| **VIII. Other aspects** |
| **VIII.1** | I am asking for an explanation of the system for reimbursement of the expenditures, which is in the Subsidy contract (SC). I think there is some contradiction:In point 1 of § 6 of the SC, it is written that verification (nationalcontrol) is requested in the middle of the project (for a 14-month project, this is in the end of the 7th month). After that (assumed, notwritten) the refund can be requested from the MA.Point 2 of the same paragraph states that, as an exception, verification may be requested at any time if one or more of the partners has spent100,000 euros of ERDF funds.I am under the impression that if none of the partners do it, then the next request is with the final report. I.e. verification and request for funds can be done twice - in the middle and at the end of the project, right?in point 10 it is written that Every 4 months the LP must create and submit to the Joint Secretariat a project report including both financial and physical progress of the project. But in the previous point 8, it says that LP cannot send a report if the expenses of all partners are not verified...My questions are specifically about a 14-month project in which none of the partners incur costs of 100,000 EUR ERDF during implementation (to be more clear):1. At what time are spended funds verified by the national control? Every 4 months or after 7 months and after the end of the project only?2. When or for what period and under what conditions can refunds be requested? After each verification or only twice - in the middle and after the end of the project? I'm not talking about project preparation and closing costs.And one more question: How is the table in point 1 of § 6 of the contract filled in - by the MA alone based on the project proposal or is it a matter of negotiation between the two parties?These questions are important in order to plan financial flows. | During the project implementation, all projects will report on their progress regularly, according with the subsidy contract provisions, art. 6, paragraphs 10 and 11:10)          Every 4 months the LP must create and submit to Joint Secretariat (JS) via the electronic system a project report including both financial and physical progress of the project, based on partners reports submitted in the JeMS in accordance with the conditions provided hereunder, in the Project Implementation Manual, JeMS manual and in the applicable legislation.11)          The project report submitted by the LP shall contain only validated expenditure and shall be supported by the National Control Report issued by the Controllers of the Project Partners. The expenditures that were not validated by the controllers are deemed to be non-eligible for the Programme and shall not be requested for reimbursement.Therefore, all projects may request reimbursement of the expenditures at every 4 months of implementation. For example, a project lasting 14 months should have 3 reporting periods of 4 months each and a 2 months reporting period for the final project report. In order to meet this deadline, each partner, including the lead partner, shall submit partner reports (including expenditures) for national control verification prior to the preparation of the project report. After the national control verification is finalized, the lead partner prepares the project report based on the partner reports and submits via Jems system the project report to the Joint Secretariat.The project reporting process at project level is described in the following chart:

|  |  |
| --- | --- |
| **Steps in reimbursement of the expenditure** | **Verification timeframe and indicative deadlines** |
| End of the 4 month reporting period |  |
| Lead partner + project partners submit the partner report to national controllers | 5 working days from the end of reporting period |
| Verification of expenditure by the national control, clarifications (if needed), performing on-the-spot visit (if the case), validation of expenditure and submission of the national control documents | 90 days from the receipt of the partner report in JEMS  |
| Lead partner compiles and submits the Project Report to the Joint Secretariat | 10 working days from the date the national control documents (control report, control certificate, checklists, etc.) are available in the electronic system (about 4 months, including 90 days for national control from the end of reporting period) |
| Joint Secretariat performs the administrative verification and may perform on the spot or online visits, in line with the procedures and Managing Authority checks the report, authorized the expenditure and performs the payments | 80 days between the submission of the project reports to the JS and the actual reimbursement by MA + needed days for clarifications from the lead partner (approx. 2.5 months) |
| Total time passed since the end of the reporting period (indicative) | approx. 6.5 months  |

In addition to the provision of the subsidy contract art. 6, paragraph 10, under art.6, para. 2 it is written that, "As an exception of the situations foreseen at Article 6(10), the LP has the possibility to ask expenditure for reimbursement to the MA via a project report submitted in the electronic system at any given time for one or more partners, provided that the expenditure claimed for reimbursement is not lower than 100,000 euro ERDF per partner. The total amount to be requested for national control mentioned at the half of the implementation cannot be changed"Therefore, as an exception to the 4 month reporting rule, anytime when having at least 100,000 euro ERDF per partner expenditures incurred and paid, project partners may submit project reports providing that its expenditures are verified and validated by a controller from the state on whose territory it is located, before the project report is submitted.The target set under article 6, paragraph 1, is not a reporting target/deadline, but it is a tool for project performance, defining partners’ spending target, as it reflects the total amount each partner commits to spend and request for national control by the end of the month marking the half of the implementation period. The Managing Authority will judge, after half of the implementation period, the financial performance of each partner in spending its budget based on this amount. The total amount each partner commits to spend and request for national control verification by the end of the month marking the half of the implementation period will be set by the project partners during the pre-contracting period, taking into consideration the type of project, the total eligible value, the project implementation schedule, the complexity of the activities, the risks that may occur during project implementation, etc. For more detailed information please see the Project Implementation Manual available at: <https://interregviarobg.eu/assets/2024/01/pim-interreg-vi-a-romania-bulgaria.pdf>.  |
| **VIII. 2** | Is applied the mechanism of payment requests within the project? | Under this Programme, the payments are made based on the reimbursement principle. Thus, the partners will spend the funds and then request reimbursement from the Programme, based on the supporting documents (except for the flat rate and lump sums). The entire process involves 2 steps:1. The validation of the expenditures made the partner by the national control. 2. The LP shall include only the validated expenditures of all partners (if the case) in a project report (so called reimbursement claim), which details the financial and technical progress of the project.MA will reimburse the expenditures after its checks. More details on how to implement an interreg project are include in Project Implementation Manual (<https://interregviarobg.eu/en/project-implementation-manual>).  |