| **No.** | **Question received** | **Answer provided** |
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| **I. Application Form** |
| **I.1** |  |  |
| **II. Eligibility of expenditures** |
| **II.1** |  |  |
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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 (…)". |
| **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. |
| **V. JEMS** |
| **V.1** |  |  |
| **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. |
| **VII. Horizontal issues and other aspects** |
| **VII.1** |  |   |