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DEVELOPMENT AND PUBLIC WORKS



BULGARIA

Applicant's Guide

Priority axis 1 - Accessibility



www.cbcrromaniabulgaria.eu

Call for proposals no.1

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Glossary of terms

Applicant	Any legal entity meeting the eligible criteria which submits an application to be financed by the programme
Potential applicants	Any legal entity meeting the eligible criteria for submitting an application to be financed by the programme
Beneficiary	Any applicant whose application has been approved for financing
Potential beneficiary	Any applicant or potential applicant is a potential beneficiary until the decision for financing its project has been issued
Project	An application form and its annexes filled in according to the Applicant's Guide
Partner	Any applicant involved in a project
Lead Partner	An applicant designated by the partners involved in a project responsible for coordinating the process of development, submission and implementation of that specific project (also named "Lead Beneficiary")
Eligible area/region	The Romanian counties and Bulgarian districts located in the border area, as mentioned in the programming document approved by the European Commission. See Annex ___ for details, including map.

Glossary of Acronyms

AA	Audit Authority
BG	Bulgaria
CA	Certifying Authority
CBC	Cross-Border Cooperation
CBC ROC	Cross-border Cooperation Regional Office Calarasi
CBA	Cost Benefit Analysis
CIS	The Commonwealth of Independent States
EAFRD	European Agricultural Fund for Rural Development
EC	European Commission
EFF	European Fisheries Fund
EDIS	Extended Decentralised Implementation System
ERDF	European Regional Development Fund
ESF	European Social Fund
EU	European Union
FID	Framework Implementation Document
GD	Government Decision
GDP	Gross Domestic Product
IA	Implementing Agency
ICT	Information and Communication Technology
IRR	Internal Rate of Return
IT	Information Technology
ISPA	Instrument for Structural Policies for Pre-accession
JCC	Joint Cooperation Committee
JMC	Joint Monitoring Committee
JPD	Joint Programming Document
JSC	Joint Steering Committee
JSPF	Joint Small Projects Fund
JTF	Joint Task Force for programming
JWG	Joint Working Group for programming
JTS	Joint Technical Secretariat
MA	Managing Authority
MDPWH	Ministry of Development, Public Works and Housing

MF	Ministry of Finance (Bulgaria)
MEF	Ministry of Economy and Finance (Romania)
MIS	Management Information System
MoU	Memorandum of Understanding
MS	Member States
ACSI	Authority for Coordination of Structural Instruments
NAPPRM	National Authority for Public Procurement Regulation and Monitoring
NDP	National Development Plan
NGO	Non Governmental Organization
NIS	National Institute for Statistics
NMS	New Member States
NSRF	National Strategic Reference Framework
NPRD	National Programme for Rural Development
NUTS	Nomenclature of Territorial Units for Statistics
OP	Operational Programme
OPF	Operational Programme for Fisheries
OPTA	Operational Programme Technical Assistance
PC	Personal Computer
Phare CBC	Phare (P oland H ungary A id for R econstruction of the E conomy) Programme for Cross-Border Cooperation
Programme	Romania – Bulgaria Cross-Border Cooperation Programme 2007-2013
RDA	Regional Development Agency
R&D	Research and Development
RTD	Research and Technological Development
RO	Romania
ROC	CBC Regional Office Calarasi
ROP	Regional Operational Programme
ESC	Evaluation Steering Committee
SEA	Strategic Environmental Assessment
SMEs	Small and Medium sized Enterprises
SMIS	Single Management Information System (national)
SOP	Sectoral Operational Programme
SOPACD	Sectoral Operational Programme "Administrative Capacity

	Development"
SOPE	Sectoral Operational Programme "Environment"
SOPHRD	Sectoral Operational Programme "Human Resources Development"
SOPIEC	Sectoral Operational Programme „Increase of Economic Competitiveness"
SOPT	Sectoral Operational Programme "Transport"
SWOT	Strengths, Weakness, Opportunities, Threats
TA	Technical Assistance
VAT	Value Added Tax
WFD	Water Framework Directive

Explanation of text-boxes

Across the following pages you will find a series of highlighted text boxes of various colors. Please see below a general explanation for these text boxes:

KEY ELEMENTS BOX – highlights the most important elements to be taken into account when preparing a project

WARNING BOX – draws attention of applicants to common/possible mistakes

ADVICE BOX – provides applicants with practical advice and reference to related documents

Legal basis

In the elaboration of this guide the following legal provisions have been observed:

- Romania-Bulgaria Cross-Border Cooperation Programme 2007-2013
- Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 (ERDF Regulation);
- Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999 (General Regulation);
- Commission Regulation (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund (Implementation Regulation);
- Other relevant national and European legislation (Annex ___).

Please note that all these legal provisions must also be observed by the applicants during both project elaboration and implementation phases.

I. General Information

This application guide aims to give practical information for project applicants to the Romania - Bulgaria CBC Programme 2007-2013. It is the most practical level of documentation needed for the successful submission of a project under this programme. This guide gives information about how to fill in the application, budget and related forms, the application procedure, the project selection criteria, the decision procedure and other – mainly financial - practical advices.

Please bear in mind at all stages that this is no longer a Phare programme. The main differences between the two kinds of financial supports are shown in Annex ___ to this Guide.

I.1. Overview of Romania-Bulgaria Cross Border Cooperation Programme 2007-2013

This programme is financed by the European Union through the European Regional Development Fund and co-financed by Romania and Bulgaria through contributions from state budget and from project beneficiaries.

The programming document drafted jointly by the two countries through a large partnership with national, regional and local stakeholders was approved by the European Commission at 18 December 2007. It sets out the general framework of intervention of ERDF in the Romania – Bulgaria cross-border area which is further developed in the Framework Implementation Document.

The programme continues the evolution of the EU's cross-border initiatives with Romania and Bulgaria, reflected in Phare CBC Programmes from 1999 to 2006. It also reflects the accession of the two countries to full membership of the EU in 2007, by implementing the provisions of the EU's new Cohesion policy 2007-2013 through the European Territorial Cooperation Objective. The strategy takes into account the broad measures defined by the Lisbon and Gothenburg European Councils to increase the competitiveness of the Union and achieve sustainable growth and the creation of jobs, thus meeting the expectations of its citizens.

The programming document and the Framework Implementation Document are available on www.cbcrromaniabulgaria.eu.

1.2. Programme Strategy

The programme was drafted starting from the status of current links between the two countries at border level. These links have been constantly strengthened through Phare projects and will be further developed through the new programme.

The core element of the programme strategy is to bring together the cross-border communities as the first step towards sustainable cooperation and to promote their common actions to overcoming the physical and socio-cultural barriers, and to better exploit the opportunities offered by the development of the cross-border area for a mid-long-term sustainable growth.

The strategy of cooperation focuses on the problems and opportunities where the border is an important factor and where cross-border action is a key requirement. It is intended as a coherent and effective response to area's identified needs, obstacles and weaknesses and intends to be the vehicle for its cross-border socio-economic sustainable development.

The strategy takes due account of the following *strategic considerations*:

- The connectivity in terms of physical infrastructure and communication services is the basis for an effective cooperation.
- The natural features of the area represent valuable assets that may only be safeguarded through joint interventions.
- Establishing common business interests shall drive the improvement of the level of economic co-operation and prevent the economic divergence of the border regions of the two countries.
- Knowing each other is the basic requirement for both economic and social connections, which shall be reflected in the priorities given to social and cultural linkages.

The programme takes due note of the limited contacts and low base of cross-border cooperation during a long lasting period and recognizes the need for overcoming the natural geographic, psychological and language barriers (preconditions to understanding and trust) to transform the border from a line of separation into a place for communication and cooperation, in order to promote the area's potentials for integrating the development, and integration of the cross-border area between two EU new member states.

i. Programme objectives

The strategy, therefore, sets out to address the specific needs of the Bulgaria Romania border area both in the short- and longer term, and supports the **overall strategic goal**:

To bring together the people, communities and economies of the Romania-Bulgaria border region to participate in the joint development of a cooperative area, using its human, natural and environmental resources and advantages in a sustainable way.

The overall aim of the programme, with the core elements of the strategy derived from the SWOT analysis, together led to the formulation of the following **specific objectives of the Romania-Bulgaria CBC Programme 2007-2013**, which must be taken into account when preparing a project:

- ***Specific objective No. 1: Improved access to transport infrastructure within the eligible area to facilitate the mobility of goods and people.***
- ***Specific objective No. 2: Improved availability and dissemination of information on joint opportunities within the border area.***
- ***Specific objective No. 3: Sustainability of the intrinsic value of the area's natural resources by prudent exploitation and effective protection of the environment.***
- ***Specific objective No. 4: Sustainable economic development of the border area by joint initiatives to identify and enhance comparative advantages and to reduce disadvantages.***
- ***Specific objective No. 5: Social and cultural coherence strengthened by cooperative actions between people and communities.***

The above specific objectives focus on the establishment of a sound basis for joint development of the eligible area. Objective 1 (transport) and 2 (communication) are considered pre-conditions for any links and cooperation within the cross-border area. Their achievement will contribute to bringing together the people, communities and economies of the border area. Complemented by the achievement of Objective 3 (environment protection), the necessary framework for jointly live, work and cooperate will be in place. Achievement of objective 4 (economic development) and 5 (social and cultural coherence) are only possible by overcoming barriers, building trust and jointly participating in the identification of area's comparative advantages and exploitation of common opportunities, as well as in finding solutions to the common problems or threats. All these will lead to a joint development of an integrated and sustainable socio-economic cross-border area, with a favorable image and regional identity.

For further details on programme strategy please refer to the programming document and to the Framework Implementation Document.

ii. Programme Priority Axes

In order to achieve the objectives set out in the programming document, the partner states have jointly agreed upon the main directions on which the

interventions under this programme should focus. These main directions are called Priority Axes and are as follows:

- **Priority Axis 1: Accessibility;**
- **Priority Axis 2: Environment;**
- **Priority Axis 3: Social and Economic Development;**
- **Priority Axis 4: Technical Assistance.**

Only the first three priority axes finance projects submitted by regular applicants while the fourth one is dedicated to ensuring the proper functioning of the programme implementation bodies.

The priority axes are very comprehensive and therefore they have been broken down to key areas of intervention and indicative operations, as shown in table below:

Priority Axis 1: Accessibility - Improved mobility and access to transport, information and communication infrastructure in the cross-border area	
<i>Key Areas of Intervention</i>	<i>Indicative operations</i>
<i>1.1 Improvements to land and river cross-border transport facilities</i>	<ul style="list-style-type: none"> • <i>Improve river and road transport infrastructure (facilities) having cross-border impact</i> • <i>Improve the public river and road cross-border transport services</i>
<i>1.2 Development of information and communications networks and services within the cross-border area</i>	<ul style="list-style-type: none"> • <i>Supporting the development of cross-border ICT based information resources, cooperation and networking</i> • <i>Extending community access to cross-border information and communication.</i>
Priority axis 2: Environment - Sustainable use and protection of natural resources and environment and promotion of efficient risk management in the cross-border area	
<i>2.1 Development of joint management systems for environmental protection</i>	<ul style="list-style-type: none"> • <i>Improve nature protection and conservation of cross-border environment</i> • <i>Improve the public awareness on environmental management and protection.</i>
<i>2.2 Development of joint infrastructure and services to prevent natural and man-made crises, including joint</i>	<ul style="list-style-type: none"> • <i>Joint natural and technological risk prevention</i> • <i>Joint early warning and emergency response activities</i>

<p>emergency response services</p>	
<p>Priority axis 3: Economic and Social Development - Economic development and social cohesion by joint identification and enhancement of the area's comparative advantages</p>	
<p>3.1 Support for cross-border business cooperation and promotion of a regional image and identity</p>	<ul style="list-style-type: none"> • Support for cross-border business infrastructure development and promotion of cooperation • General networking to promote foreign investment and a positive regional identity and image • Promotion of cross-border tourist networks and diversification of existing cross-border tourist services • Promotion of co-operation between universities research institutes and businesses in the field of R&D and innovation • Joint marketing and promotion of cross-border products
<p>3.2 Cooperation on human resources development – joint development of skills and knowledge</p>	<ul style="list-style-type: none"> • Support for a cross-border sharing of information on employment opportunities • Development of cross-border training services for employment, in connection with the integrated market needs • Development of cross-border linkages and exchanges between education/training centres
<p>3.3 People-to-people cooperation</p>	<ul style="list-style-type: none"> • Support for development of civil society and local communities • Improvement of local governance • Increase of educational, cultural, health, youth and sporting exchange
<p>Priority axis 4: Technical assistance</p>	
<p>4.1 Support for the implementation and overall management of the Programme</p>	<ul style="list-style-type: none"> • Ensure the functioning of Programme management bodies • Finance extra studies and external expertise
<p>4.2 Support for the communication and information of the Programme</p>	<ul style="list-style-type: none"> • Supporting the information and publicity activities of the Programme • Supporting the potential applicants/beneficiaries of the Programme.

For further details on programme priority axes and key areas of intervention please refer to the programming document and to the Framework Implementation Document.

1.3. Programme Implementation Structure

According to the EU Regulations on Structural Instruments, the two partner states in the programme - Romania and Bulgaria - have established a number of bodies forming the implementation and monitoring mechanism of the programme. Of these, the most relevant to potential beneficiaries are:

Managing Authority – the Romanian Ministry of Development, Public Works and Housing - is responsible for managing and implementing the operational programme in accordance with EC Regulations and the principles of sound financial management. The Managing Authority will sign the ERDF subsidy contracts with the Lead Partners as well as the co-financing contracts with the Romanian project partners (for the co-financing granted from the Romanian state budget).

National Authority - the Bulgarian Ministry of Regional Development and Public Works – is the counterpart of the Managing Authority and will sign the co-financing contracts with the Bulgarian project partners (for the co-financing granted from the Bulgarian state budget).

Joint Monitoring Committee (JMC) is formed of representatives at national, regional and local level from both countries, supervises the programme and is responsible for its strategic adaptation. The JMC approves the Applicant's Package, including the project evaluation and selection criteria.

Joint Steering Committee (JSC) is a sub-committee of the Joint Monitoring Committee, formed of representatives at national, regional and local level from both countries. It is responsible for selecting operations for funding.

Joint Technical Secretariat (JTS) is based in Calarasi (Romania), within the Regional Cross-Border Cooperation Office. It assists the programme management bodies in carrying out their respective duties and is the main contact point between the programme and the potential beneficiaries/project partners.

An **Info Point (IP)** will be set up in Pleven (Bulgaria) as part of the JTS, having as main role to serve as local contact point for potential beneficiaries/project partners.

For further details on programme implementation structure please refer to the programming document and to the Framework Implementation Document.

I.4. Programme Financial Allocation

The total budget of the programme for the entire 7-year programming period is 262,003,541 Euro, of which 217,823,757 Euro is represented by EU contribution through the European Regional development Fund. The remaining 44,179,784 Euro are national contributions from state budgets and project partners.

Please note that the programme financial allocation is not broken down by state or NUTS III eligible region.

i. Financial allocation for 2007-2013

The breakdown of the total budget of the programme on priority axes and national contributions approved by the European Commission as part of the programme is shown in the table below:

Priority axes by source of funding (in euro)

	Community Funding ERDF (a)	National public funding*	National private funding	Total funding
	(a)	(b)	(c)	(a) + (b) + (c)
Priority Axis 1 - Accessibility	80,594,790	13,795,932	1,036,219	95,426,941
Priority Axis 2 - Environment	76,238,315	13,319,282	326,736	89,884,333
Priority Axis 3 - Economic and Social Development	47,921,227	8,372,120	205,377	56,498,724
Priority Axis 4 - Technical Assistance	13,069,425	7,124,118	0	20,193,543
Total	217,823,757	42,611,452	1,568,332	262,003,541

***Includes the contributions from state budgets and local budgets from both countries**

For further details on programme financial provisions please refer to the programming document and to the Framework Implementation Document.

ii. Financial allocation for the call for proposals

The total amount allocated for this call for proposals for the three priority axes is proportional to the financial allocations of the ERDF for 2007 and 2008 and is of 57,463,954 Euro, broken down as follows:

Euro

	Community Funding ERDF (a)	National public funding*	National private funding	Total funding
	(a)	(b)	(c)	(a) + (b) + (c)
Priority Axis 1 - Accessibility	22,618,790	3,871,805	290,813	26,781,408
Priority Axis 2 - Environment	21,396,153	3,738,034	91,698	25,225,885
Priority Axis 3 - Economic and Social Development	13,449,011	2,349,621	57,639	15,856,271
Total	57,463,954	9,959,460	440,150	67,863,564

**Includes the contributions from state budgets and local budgets from both countries*

I.5. State Aid

Considering the activities financed under the current call, activities for which the beneficiaries do not act as economic operators and for which there are no considerations to assume that the competition will be distorted, **this Priority Axis is not subject to state aid.**

I.6. Revenue Generating Projects

The eligible expenditure for revenue generating projects must not be more than the current value of the investment minus the current value of the net revenues of that investment in a certain period of time for:

- infrastructure investment;
- other projects where the advance revenues may be estimated.

When the investment cost is eligible for cofinancing, the net revenue shall be allocated pro rata at the eligible and non-eligible part of the investment cost.

II. Rules of the calls for proposals

II.1. General rules

i. Types of calls for proposals

The financing under the Romania – Bulgaria Cross-Border Cooperation Programme shall be made available to potential beneficiaries through a competitive process. The Managing Authority and/or the Joint Technical Secretariat shall launch open calls for proposals and set up deadlines for submitting the applications. An exception shall be made for the “people-to-people cooperation” under Priority Axis no.3 – Social and Economic Development, for which the submission shall be continuous. However, for this first call for proposals, this exception shall not apply.

The submission of projects is open to all potential beneficiaries that meet the eligibility criteria set below. These eligibility criteria shall apply for the entire programme duration. However, please note that the Monitoring Committee may decide to change these eligibility criteria for the forthcoming calls for proposals.

A special attention shall be paid by the programme authorities to the development and implementation of strategic projects. These are projects which impact over a larger area, involve a broader partnership and a larger budget than regular projects. The process of generation and development of strategic projects shall be led by the Joint Monitoring Committee of the programme. The decision to finance strategic projects as well as an indicative list shall be made available to general public on the programme website.

ii. Eligibility Criteria

In order to be eligible for funding under the programme, a project should meet a three criteria: the eligibility of applicants, activities and expenditure.

A. Eligibility of applicants

(1) In order to be eligible for a grant, applicants must fulfill the following criteria:

- Be non-profit making bodies/organizations, legally established according to national legislation of Romania/Bulgaria;
- Be non-governmental organizations (associations and foundations), public sector operators, local/regional authorities;
- Be directly responsible for the preparation and management of the action together with their partners, not acting as an intermediary;

- Appoint, for each project, a lead beneficiary among the project partners. The tasks of the Lead Partner are provided in article 20/ ERDF Regulation, in the subsidy contract (Annex __) and in the partnership agreement (Annex __);
- Have at least one partner on the other side of the border, which must fulfill the same eligibility criteria. Applicants without any partners from the other side of the border will not be eligible;

The maximum number of partners in a project will be five, including the Lead Partner!

- Have their headquarters within the eligible cross border region, or be a local branch office of a national organization that has a clear role in the border region; if the applicant is a regional branch of a national organization, and the national organization's headquarters are not situated in the eligible region, but the regional branch is a legal entity, the regional branch shall apply for assistance, and in case of contracting it shall be the project beneficiary; if the regional branch is not a legal entity, the central organization shall apply for assistance, and in case of contracting it shall be the project beneficiary;
- Have stable and sufficient sources of finance to ensure the continuity of their organization throughout the project and, if necessary, to play a part in financing it;
- Be experienced and able to demonstrate their capacity to manage their share of activities of the project for which the subsidy is requested;
- Have not benefited of the financing support from **EU** funding programmes for this proposal, and do not apply for other funding programmes with this project unless it does not obtain financial support under this programme;
- Have not benefited of financing support from **EU** funding programmes for similar projects in terms of objectives, activities and results.

All partners in a project must sign a partnership agreement before the signing of the subsidy contract with the MA that stipulates the rights and duties of the partners. A model of partnership agreement is annexed to the present Guide.

Partnerships not involving serious commitment and contributions from the part of all partners shall be rejected! All partners must have clear roles in project development and implementation.

(2) Potential applicants may not participate in calls for proposals if:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous

- situation; arising from a similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence concerning professional conduct by a judgement which has the force of *res judicata* (i.e., against which no appeal is possible);
 - (c) they are guilty of serious professional misconduct proven by any means which the Contracting Authority can justify;
 - (d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established;
 - (e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities or national financial interests;
 - (f) they have been declared to be in serious breach of contract for failure to comply with their contractual obligations in connection with a procurement procedure or other grant award procedure financed by the Community or national budget.

Applicants are also excluded from participation in calls for proposals or the award of financial support if, at the time of the call for proposals, they:

- (g) are subject to a conflict of interests;
- (h) are guilty of misrepresentation in supplying the information required by the Managing Authority/ Joint Technical Secretariat as a condition of participation in the call for proposals or fail to supply this information;
- (i) have attempted to obtain confidential information or influence the evaluation bodies during the evaluation process of current or previous calls for proposals;
- (j) Have in the board or as stakeholder members of the Joint Steering Committee, The Joint Technical Secretariat, or employees of the CBC Regional Office Calarasi and its branches, and the MA from the Ministry of Development, Public Housing and Works.

In the cases referred to in points (a), (c), (d), (f), (h) and (i) above, the exclusion applies for a period of two years from the time when the infringement is established. In the cases referred to in points (b) and (e), the exclusion applies for a period of four years from the date of notification of the judgment.

Please note that the Romanian Regional Development Agencies are not eligible applicants as they are founding members of the Regional CBC Office in Calarasi which shall evaluate the projects!

In the signed "Declaration by the applicant" included in the application form, applicants must declare that they do not fall into any of the above categories (a) to (j).

Political parties are not eligible.

(3) For investment projects, the applicants must:

- a) Prove that it is the owner of the land and of the infrastructure where the investment is made;
- b) Declare that there are no judicial litigations (including claiming) regarding the land and the infrastructure.

(4) The applicants must prove their financial and administrative capacity to manage their share of the project, namely:

- a) have the capacity to ensure their own contribution and the financing for non-eligible expenditures for the project; they must also have the capacity to ensure the temporary availability of funds until they are reimbursed by the programme. **The own contribution represents the share of the total eligible expenditure** that will be supported by the beneficiaries of the project;
- b) The value of the own contribution of the applicant and the eligibility expenditures must be followed when completing the budget of the project (annex to the Application Form). Any non-eligible expenditure and any additional expenditure that may appear in the implementation period of the project shall be supported by the applicants.

The applicants shall annex to the Application form the Declaration of Commitment and the Decision of Local Council/ County Council/ Board of Directors or any similar body governing them regarding the approval of the project and the coverage of expenditures related to the project.

According to the Declaration of Commitment, the applicants shall:

- ***provide their own contribution to the eligible expenditure;***
- ***ensure temporary availability of funds from own/third sources until they are reimbursed by the programme;***
- ***cover all non-eligible expenditure, either declared in the application form or identified as such by the programme authorities during the evaluation and implementation of projects;***
- ***maintain the property of infrastructure subject to investment projects financed under this programme for a period of 5 years after the end of the project.***

The Managing Authority may demand additional documentary evidence and argumentations regarding financial capacity.

Indicative examples of potential applicants for all Priority axes

- County Councils/ District Administrations;
- Local Councils/Municipalities;
- Associations of local public authorities;

- Chambers of Commerce/ SMEs associations;
- Universities;
- Ministries and their local/regional departments/bodies;
- Non-profit research institutes;
- Other NGO's acting in the fields financed by the programme.

B. Eligibility of Actions

The project must be in line with the indicative operations from the key area of intervention under each priority axis as stipulated in the Romania-Bulgaria Cross-Border Cooperation Programme 2007-2013.

The types of actions financed under each Priority axis, Key area of Intervention and Indicative operation, as well as projects duration and budget limits are described below:

Priority Axis 1 - Accessibility - Improved mobility and access to transport, information and communication infrastructure in the cross-border area:

Under this priority axis both investments ("hard" or infrastructure) and non-investments ("soft") projects will be financed. The axis is split in two key areas of interventions, referring to transport and ICT respectively.

Key Area of Intervention 1 - Improvements to land and river cross-border transport facilities

Indicative operations

(1) Improve river and road transport infrastructure (facilities) having cross-border impact

Under this indicative operation, the following actions are eligible:

- Construction, rehabilitation, widening of cross-border (segments of) roads connecting settlements alongside the border and/or small remote villages with main road, which leads to the border;
- Improvement/restoration/construction of (segments of) roads linking to the national/international systems as well as to economic sites and tourist centres of cross-border interest;
- Improvement/restoration/construction of ferry crossing points and associated passenger, freight and vehicle infrastructure, equipment and facilities, incl. construction of facilities that will assure the access of disabled persons;

- Improvements of multimode transport (river/road) facilities of cross-border interest;
- Elaboration of joint studies for promoting environmentally friendly(carbon-proofed) cross-border transport systems and related services of common interest, studies for identification of the activities for a joint approach;
- Elaboration of joint strategies for improving the cross-border transport infrastructure;
- Elaboration of joint feasibility studies, engineering/ planning documents, architectural plans, environmental impact assessments related to road/river transport development for the cross-border benefit;
- Cross-border exchanges of good practice and know how transfer on efficient and effective passenger and freight transport in the cooperation area;

(2) Improve the public river and roads cross-border transport services

Under this indicative operation, the following actions are eligible:

- Promotion of joint regular public transport systems and common management systems to border crossings and zones of interoperability, harmonisation of, and provision of bi-lingual information on cross-border timetables and routes;
- Investments to secure reliable and regular operation of ferryboats and associated infrastructure;
- Improvements to the safety of cross-border transit and local traffic;
- Support to cross-border traffic related services and supplies (bilingual information services about the traffic conditions, electronic sign posts; public transport co-ordination measures especially related to improving intermodality, etc.);
- Cross-border policy coordination among competent traffic decision makers / bodies;
- Joint research studies, investigations and planning of environmentally friendly transport initiatives and innovative solutions to resolve bottlenecks (pilot projects, strategies, etc.);
- Joint research studies for identifying opportunities and needs for cross-border traffic;
- Exchanges of experience, study tours, know how transfer in the cross-border public transport context.

Project duration

The duration of a project must not exceed 18 months from the starting date of the project for non-investment projects and 30 months from the starting date of the project for investment projects.

Project budget

The total value of eligible expenditure of the project will range between

- 200,000 Euro and 2,000,000 Euro for non-investment projects;
- 2,000,000 Euro and 8,000,000 Euro for investment projects.

The maximum ceilings can be lower for certain priority axes and calls, subject to the decision of the Joint Monitoring Committee and the availability of funds.

The ERDF will finance 85% of the eligible expenditure and the state budgets of the two countries shall provide an additional 13% to public bodies and NGOs. The remaining 2% represent own contribution of project partners.

Cooperation criteria

The projects must have direct CBC impact, which shall be understood in terms of respecting at least two of the following conditions as described below: joint development, joint staffing, joint implementation and joint financing.

- ❑ *Joint development* – means that the project must be designed in common by partners from both sides of the border. This means that project proposals must clearly integrate the ideas, priorities and actions of stakeholders on both sides of the border. The Lead Partner is the coordinator of this process but should include other partners from the beginning of the development process;
- ❑ *Joint implementation* – means that activities must be carried out and coordinated among partners on both sides of the border. It is not enough that activities run in parallel. There must be clear content-based links between what is happening on either side of the border and regular contact between the two sides. The Lead Partner is responsible for ensuring that activities are properly coordinated, that schedules are kept and that the right quality levels are achieved;
- ❑ *Joint staffing* – means that the project should not duplicate functions on either side of the border. Therefore, regardless of where the person is located, there should be one joint project manager, one joint financial manager etc., (of course more staff may be required for larger projects). These staff will be responsible for project activities on both sides of the border. The Lead Partner is generally the employer of core project staff;
- ❑ *Joint financing* – means that there will be only one contract per project and there must therefore be one joint project budget. The budget should be divided between partners according to the activities

carried out. There is also only one project bank account (held by the Lead Partner) and payments are made from the programme to this account. The Lead Partner is responsible for administration and distribution of these funds and for reporting on their use. Match-funding should come from both sides of the border and illustrates the commitment by each partner to the joint project.

The activities included in the project must not have been financed from public funds in the past (except for the roads rehabilitation projects, if the rehabilitation took place more than 5 years before the deadline for submission of applications).

The project must include activities for information and publicity, according to the Visual Identity Manual (available at www.cbcrromaniabulgaria.com).

Applicable law

The projects must be in line with the national and European legislation on equal opportunities, environmental protection and public procurement. The project respects the European legislation provisions on information and publicity.

C. Eligibility of expenditure

Only "eligible costs" can be taken into account for financial support. These costs are detailed below. The budget is therefore both a cost estimate and a maximum ceiling for "eligible costs". Note that the eligible costs must be based on real costs.

It is therefore in the applicant's interest to provide a **realistic and cost-effective budget**.

Conditions for eligible costs

To be eligible for financial support under the call for proposals, costs must:

- be necessary for carrying out the action and must comply with the principles of sound financial management, in particular value for money and cost-effectiveness;
- have actually been incurred by the beneficiaries or their partners during the implementing period for the actions defined in the application form;
- be recorded in the partners' accounts and tax documents, be identifiable and verifiable, and be backed up by supporting documents;
- be verified and certified as eligible by the controllers designated by the Managing Authority and the National Authority respectively;
- be in line with the provisions of the subsidy contract, co-financing contracts, national and European legislation;
- not have been subject to financing from public funds;

- be effectuate until the end of project. The starting date for the eligibility of expenditure for project preparation is 2 years before the deadline for submission of applications, but not earlier than January 1st, 2007.
- all expenditure must be made according to the national laws on public procurement of the country on whose territory the partner is located. This condition applies also to the beneficiaries which are not stipulated as such in the respective laws (e.g. NGOs).

Indicative list of eligible expenditure

a) Project Preparation (maximum 25% of total eligible expenditure):

- **Meetings between project partners** (maximum 300 EURO/project partner – supporting documents shall be presented – e.g minutes, list of participants, invoices etc):
 - Travel – the most cost-effective, based on the analysis of three offers (Internet offers are considered);
 - Accommodation – within the ceilings allowed by national legislation for public bodies;
 - Translation of preparatory documents and interpretation during the meetings;
 - Daily allowances – the ceilings allowed by national legislation for public bodies;
 - Travel insurance;
 - Catering;
 - Other organizational costs.
- **Purchase of land** (maximum 5% of the total eligible expenditure of the project).
- **Purchase of buildings** (maximum 10% of the total eligible expenditure of the project).
- **Consultancy, studies, technical assistance and translation of documents** (maximum 7% of the total eligible expenditure of the project):
 - Land studies (including expenditure for geo-technical, geological, hydrological, hydro-geo-technical, photometrical, topographical and stability studies for the investment site);
 - Design and engineering - including expenditure for all phases of the project: pre-feasibility and feasibility studies, technical project, execution details, technical check of the design and preparation of the necessary documentation for obtaining the notices, agreements and permits for construction, urban planning documentation, impact studies, site studies/expertise;

- Preparation of public procurement documents and management of public procurement procedure;
- Consultancy for filling in the application form (maximum 1% of the total eligible expenditure, but no more than 10,000 EUR);
- Translation of documents.
- **Site organization**
 - Construction and installation works for the site organization (leveling natural lands, closing down communication ways or constructions, utilities plugging, realization of access ways, constructions or rehabilitation of existent constructions).
 - traffic signs rental, temporary interruption of the transport and water distribution networks, sewing, electricity, gas, road, railroad, fluvial or air traffic, thermal agent, assistance contracts with the police, temporary contracts with utilities suppliers and sanitation units.
- **Taxes and other charges** (maximum 2% of the total eligible expenditure of the project):
 - a) Urban planning permits, building permits;
 - b) Coupling and connection agreements and permits - water public network, sewage system, gas, heating, power, phone lines;
 - c) Environmental agreements;
 - d) Fire department agreement;
 - e) Expenditure related to public procurement procedures;
 - f) VAT, provided that it is not recoverable.

b) Investments in land and constructions

- **Land preparation** – any works aimed at making the site suitable for the purpose of the project - including all expenditure made at the beginning of works for the preparation of the land which consist in: demolitions, disassembling, site clearing, evacuation of the materials resulted, deviation of the utilities pipes network, drainage, dredging, deviation of water courses, etc.
- **Land rehabilitation (environmental protection)** – works and action aimed at protecting the environment, including site rehabilitation after completion of works: planting trees, rehabilitation of green areas.
- **Ensuring utilities:** power/gas connection, water and sewage connection of buildings, access roads to buildings, parking, fences, traffic signals and lights, water drainage ditches, navigable channel dredging, platforms and hangars for ships etc.
- **Site organization**

- Construction and installation works for the site organization, (leveling natural lands, closing down communication ways or constructions, utilities plugging, building of access ways, provisional constructions or rehabilitation of existent provisional constructions).
- Additional costs: traffic signs rental, temporary interruption of the transport and water distribution networks, sewage, electricity, gas, road, railroad, fluvial or air traffic, thermal agent, assistance contracts with the police, temporary contracts with utilities suppliers and sanitation units.
- **Main investment**
 - **Constructions costs:** construction, rehabilitation and modernisation of roads, bridges, ferry crossing points. The expenditure for each investment object will be determined in the object estimation and delimitation of the objects is made by the designer (e.g. bridges, river ports rehabilitation and modernization, roads or segments of roads linked to the cross-border national/international systems, footbridges, passages, facilities for assuring the access of disabled persons, boat-houses, dykes, container terminal, illumination, traffic signs).

c) Staff

- **Participation to meetings** between project partners and other relevant meetings (supporting documents shall be presented – e.g minutes, lists of participants, invoices etc):
 - Travel – the most cost-effective, based on the analysis of three offers (Internet offers will be considered);
 - Accommodation – within the ceilings allowed by national legislation for public bodies;
 - Daily allowances – the ceilings allowed by national legislation for public bodies;
 - Travel insurance.
- **Staffing costs:** salaries, taxes and social contributions, will normally be considered eligible for personnel directly engaged in the project where the applicant can clearly demonstrate that the personnel concerned are employed in additional tasks.

Public servants salaries and associated costs are not eligible costs.

d) Consultancy, Technical Assistance and other external services not included in the project preparation costs

- **Technical studies (Design and engineering):** pre-feasibility and feasibility study, technical project, execution details, technical check of the design and preparation of the necessary documentation for

obtaining the notices, agreements and permits for construction, urbanistic documentation, impact studies, site studies/expertise;

- **Authorizations, certificates, permits, agreements:** urban planning permit, building permit, other authorizations and agreements;
- **Consultancy:**
 - Preparation of public procurement documents and management of public procurement procedure;
 - Technical assistance provided by the designer, in case that is not included in the framework contract;
 - Ensuring the supervision of the execution of works by construction inspectors, up to a limit of 10% from the works contract;
 - Project management.
- **Translation and interpretation costs.**

e) **Equipment**

- equipment for monitoring, harmonization and joint management of cross-border traffic;
- elevation and transport equipment for access of disabled persons;
- alert systems for bad weather conditions;
- emergency intervention equipment;
- bilingual electronic signs and information panels;
- special intervention vehicles for traffic management;
- ITC equipment;
- Furniture, heaters and other endowments for buildings.

f) Administration costs (maximum 5% of the total eligible expenditure of the project) - office rent, mail, fax, copying costs, consumables, internet access, electricity/radio, heating, water, gas, cleaning, operation costs for electrical and electronic devices, telephone costs/mobile, security, garbage.

g) Information and publicity the expenditure necessary to fulfill the EU and programme requirements regarding information and publicity, provided that beneficiaries comply with the Visual Identity Manual of the programme: billboards, posters, brochures, leaflets, media advertising, promotional materials, press conferences etc.

g) Audit costs shall be eligible provided that programme management requests an independent audit.

h) Taxes and Charges (the maximum amount is 10% of total eligible expenditure):

- charges for transnational financial transactions;
- bank charges for opening and administering the separate bank account(s) required;
- Urban planning permits, building permits;
- Coupling and connection agreements and permits - water public network, sewage system, gas, heating, power, phone lines;
- Environmental agreements;
- Fire department agreement;
- Expenses related to the public procurement procedure.

i) VAT, provided that it is not recoverable.

j) Contingency (maximum 5% of total eligible expenditure).

In-kind contributions and depreciation are not eligible costs!

II.2. How to apply for funding

i. How to get the Applicant's Pack

The Applicant's Pack contains the Application Form and its annexes (including the subsidy contract). These are the official forms that should be submitted when applying for financial support under the programme. The Applicant's Guide, which is also included in the pack, provides potential beneficiaries with detailed guidelines on the application for funding process.

The Applicant's Pack is available on the following websites:

- programme website (www.cbromanibulgaria.eu);
- Managing Authority's website (www.mdpl.ro);
- National Authority's website (www.mrrb.government.bg)
- Joint Technical Secretariat's website (www.calarasicbc.ro)

The applicant's pack can also be provided in electronic form (CD or other memory device) by the Regional Office for Cross Border Cooperation in Calarasi (address: 1 Decembrie 1918 Street , no. 1, Calarasi, Calarasi

County, Romania , Tel. +40 242 313 091 ,Fax +40 242 313 092 ,E-mail : info@calarasicbc.ro) and by the Info Point in Pleven (address: District Administration Building, 1 Vazrazhdane Square, 5800 Pleven, Bulgaria)

ii. How to fill in the Application Form and its Annexes

Please find below the guidelines for filling in the Application Form and its Annexes.

Make sure you fill in correctly and completely the application form and its annexes (see below) and add all related documents. The annexes are part of the Application Form. Applications and annexes must be submitted using the forms included in the Applicant's Pack. The application and its annexes must be filled in English. The supporting documents issued by national/local authorities shall be attached in the original language accompanied by an authorized translation in English.

Modifying the standard application form or its annexes will result in the rejection of your application.

Project registration

Project number: Will be filled in by the JTS

Registration number and date: This will also be filled in by the JTS. The registration date is the day, that the fully completed, dated, stamped and signed application form, together with the budget form and all annexes, arrive at the JTS. The application form, the budget form and annexes, should be physical (hard copy) documents that arrive at the JTS before or on the deadline date announced in the call for proposals. In addition, a copy of the application form and budget form and all other required documents needs to be sent in as a digital document (on a CD or DVD).

1. Project identification

1.1. Project Title

State the official and *full name* of the project.

Give a short name or *acronym* to which the project can be referred. The use of an acronym or short name is necessary for efficient communication and administration.

1.2. Applicant information

The *Lead Partner* is, as lead beneficiary, responsible for the implementation of the entire project. The Lead Partner will be responsible for reporting to the JTS after approval of the project. For the Lead Partner organization, both

the name of the director responsible and the project manager are requested. For other project partners, one contact name will be sufficient.

If there are more partners involved in the project than rows available, applicants should remember to provide the relevant information for these organizations too, either by extending the electronic version of the form or by simply copying the section within the form. Information about which eligible NUTS III level region each partner belongs to should be included. Further information is provided in Appendix 2 to this application guide.

2. Financial information

2.1. Project budget (EUR)

Here must be stipulated the total value of the project, the eligible value, the ERDF contribution, the national cofinancing of which the state budget contribution and the own contribution.

The beneficiaries have the obligation to include in the budget of their institution:

- their own contribution to the eligible expenditure (the own cofinancing of 2%) and the amounts for the contribution from structural funds (amounts that will be spent in advance by the beneficiaries until the reimbursement of payments by the Managing Authority);
- all non-eligible expenditures.

Beneficiaries must provide documentary evidence of the availability of funds for sustaining the project.

2.2. Financing history

2.2.1. Have you ever received financing from European funds?

2.2.2. Has this project been submitted before for financing in another programme either as such, parts of it or as part of a bigger project?

If a project has sought *funding from other sources* prior to the Ro-Bg CBC Programme, this should be stated here, together with all relevant financial data. This section must be completed by all partners.

2. Project description

3.1. Consistency with programme strategy

All projects in the Romania-Bulgaria Cross-Border Cooperation Programme must comply with the *strategy set out in the Operational Programme*. This can be demonstrated by explaining the projected contribution of a project to the aims of the programme. Applicants should explain briefly and clearly how their project will contribute to the aims of the programme.

In this area the partners must explain how the project objectives comply with the programme strategy and state the priority axis, key area of intervention and indicative operation aimed by the project.

In case the project envisages activities which might contribute or influence another priority axis or key area of intervention or indicative operation, explanations are to be given in this section.

3.2. Project objectives

The projects should set its own clear objectives (general and specific), in line with the programme objectives.

3.3. Project context:

Applicants should give a clear description of the problem which the project is going to tackle and the contribution which the project will make to help solve it. It is recommended to describe what is new about the project in relation to what has been previously achieved – including other ERDF supported activities and other projects and programmes in the area – and in relation to what will be achieved in this area in the future. It should be described why the chosen partnership is necessary for the project. Furthermore, the level of achievements of the project should be justified in terms of having a long-lasting impact from its final results.

3.4. Project activities

Applicants should fill in the activities planned to achieve the objectives as set out in 3.2. They link directly with the project finances due to be filled in, in the budget form. It is strongly suggested to give also details of the overall project operational management and financial management structure and of the outcomes or end-results of the project here.

For each activity must be clearly stated the starting date, the completion date, the location and the responsible partner.

3.5. Project expected results

The applicants must provide information on the results the project is going to achieve. The results should be very clearly stated and should be easily measurable.

3.6. Target groups

Please state the target groups and provide clear evidence of being a sufficient demand for the proposed project to go ahead and that it is not simply a compilation of the expertise of the project partners in shaping the scope of the project or is merely inward-orientated with a narrow scope of activities.

3.7. Cross-border character of the project

In order to prove the cross-border character of the project you must explain which of the following criteria are fulfilled (**minimum two**): Joint Development, Joint Implementation, Joint Staffing, Joint Financing (please refer to section II.1.i. for details on these criteria).

Additionally, the applicants must provide information regarding the cross-border impact of the project.

3.8. Programme Indicators

It must be specified how the project influences the programme's output and result indicators, by ticking or by justifying the data, according to each type of application form (according to each priority axis).

Also, if the project has obtained other relevant specific indicators, measurement, baseline value, target value and justification must be provided.

Indicators are used to measure performance and a number of indicators have been developed for that purpose. Project applicants can select which indicators they report on and a good choice of indicators is important. They should be relevant for the objectives of the project and the target value indicated should be reasonable as well as measurable.

3.9. Project coherence with other programmes/strategies/projects

In case the project influences other national or european programmes/strategies/projects, relevant details must be provided.

3.10. Project coherence with horizontal themes

Explain how your project will contribute towards the promotion of the three *horizontal themes* (equal opportunities, sustainable development and climate change). Under some key areas of intervention it might be expected that there should be a highly significant and positive contribution under a particular horizontal theme. If a negative impact is envisaged, for any reason, then it should be clearly explained as to how such effects will be minimized or otherwise offset.

3.11. Information and publicity

In order to publicize the project as widely as possible, i.e., the project itself, its results and outcomes, a communication plan should be adopted. The communication plan should incorporate all project partners and include publicity as well as information and, if relevant, appropriate marketing strategies. The plan should as far as possible indicate concrete measures to be taken under the communication plan. The plan should indicate what tools and materials are intended to be used. All costs for proposed measures under the communication plan need to be included in the financial plan for the project and accounted for in the Budget Form.

In this section, the target groups of the communication plan and appropriate marketing plans should be stated. It should include also, who will benefit from the project and it might also mention other target groups such as authorities on different levels, enterprises, NGOs, other projects concerning the same issues as the proposed project, the general public and the mass media.

3.12. Rationale for receiving EU financing

The partners must specify why the ERDF grant is essential for the implementation of the project and in which degree.

3.13. Breakdown of eligible expenditure per year

The partners shall describe each eligible expenditure planned and the year it is going to be made.

3.14. Contracting Plan

Eligible expenditures must be correlated with a contracting plan. All partners must respect the national public procurement law and they must indicate which kind of procurement it is intended to be used. A contracting plan will also be part of the subsidy contract and the two plans must be correlated.

3.15. Value - Added Tax

The VAT will be treated according to the national legislation.

3.16. Revenue generation

In case the project is revenue generating, the partners must provide financial data according to the rules for revenue generating projects.

According to the provisions of article 55, para 1/ Regulation 1083/2006, a revenue- generating project means any operation involving an investment in infrastructure the use of which is subject to charges borne directly by users or any operation involving the sale or rent of land or buildings or any other provision of services against payment.

According to the provisions of article 55, para 6/ Regulation 1083/2006 the provisions regarding revenue generating projects shall not apply to projects subject to the rules on State aid within the meaning of Article 87 of the Treaty.

The eligible expenditure for revenue generating projects must not be more than the current value of the investment minus the current value of the net revenues of that investment in a certain period of time for:

- infrastructure investment;
- other projects where the advance revenues may be estimated.

When the investment cost is eligible for cofinancing, the net revenue shall be allocated pro rata at the eligible and non-eligible part of the investment cost.

When verifying the revenue generating project the type of project and priority axis shall be considered.

The application of the European provisions regarding revenue generation projects shall be ensured by the following measures:

-Evaluation Phase -, in the application form the beneficiaries mention if the project is revenue generating. From the cost-benefit analysis, there are established the net generating revenues and they are deducted from the investment cost, establishing in this manner the eligible expenditure for the project

-Implementation Phase- monitoring of the revenue generating projects shall be realized for the implementation period of the projects and for a 5 years period after the finalization, according to the provisions of article 55, para 3 / Regulation 1083/2006.

4. Exit/continuation strategy

Applicants should describe what impact their project results are likely to have five years after the project has ended. Also, stated here, should be the kind of follow-up actions that are planned (i.e., exit/continuation strategy) and what are the chances for them to be achieved. In general, it is expected that the results of a project will outlive the lifetime of the project itself.

Annexes:

Together with the application form the following documents must be annexed:

-OPIS for Application Form

-Summary of the project

-Legalized mandate, in original (in case the application form is not signed by the legal representative of the Lead Partner)

-Copies of the most recent financial situation of all partners

- last accountant balance sheet checked by the Financial Administration for the last two years before the submission of the Application Form;
- annual budgetary execution account checked by the Financial Administration for the last two years before the submission of the Application Form (only for local public administration)

-Detailed project budget: even if detailed technical documents are not requested for the first stage of application process, the budget should be realistic and based on a minimum needs analysis. However, please be aware that the budget stated in the application form is maximum and cannot be increased based on further findings of the applicants.

-Schedule for advance payment request and requests for payments (accompanied by progress reports)

The legal framework is the GD 46/2007 and the Application Provisions.

The LP must schedule the date he will submit the advance payment request and the request for payments (accompanied by progress reports).

The amount of the advance is maximum 15% of the total eligible ERDF value of the project.

If the eligible operation budget is of more than 250.000 euro, than a signed contract between the LP/partner and a sub-contractor, respecting the provisions of public procurement law, is necessary in order for the request for advance to be approved.

The LP receives the advance from the Paying Unit from the Managing Authority only after submitting a request for pre-financing.

The recovery is done starting with the first payment claim in such manner that the entire advance shall be recovered before the last payment claim (further details regarding the advance are stipulated in Annex.).

If the advance was not recovered before the final payment or before the contract is terminated, the amounts not recovered must be paid by the LP to the MA in 30 days from the notification.

The LP may only request payments by providing proof of progress of the operation. Therefore the LP has to present progress reports, at every three month from the signing date of the contract. Instructions as laid down in the reporting forms must be followed.

The LP has to submit to the JTS the payment claims, together with all the supporting documents, according to the chart annexed to the subsidy contract.

The partners must present all documents to the controllers in order to be verified before requesting the payments.

The ERDF funds will be disbursed in Euro (EUR; €) only and transferred to an account indicated by the LP. Any exchange rate risk will be borne by the LP.

The LP will transfer the received ERDF amounts to all partners and will make no deduction, retention or further specific charge from the ERDF amounts he receives.

If the LP fails to present an interim report and a request for payment by the end of each six-month period, the LP must inform the Managing Authority of the reasons why he is unable to do so, and provide a summary of progress. For the operations that have duration shorter than 12 month the deadline for submitting the interim request and the request for payment is the half of the implementation period. If the LP fails to comply with this obligation, the Managing Authority may terminate the Contract and recover the amounts already paid.

-Eligibility Declaration, in original, stating that:

- the applicant is not in one of the situations stipulated at II.1.i.1;
- the project has not received public financing before the date of submitting the Application Form, for the same type of activities, realized on the same infrastructure/same segment of infrastructure (except for the roads rehabilitation projects, if the rehabilitation took place more than 5 years before the deadline for submission of applications);
- infrastructure and land meet the conditions stipulated at II.1.i.2;
- the legal representative of the Lead Partner has not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata* (i.e., against which no appeal is possible);
- the legal representative of the Lead Partner has not been convicted in a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the Communities' financial interests

-Copies of the documents that prove that the infrastructure and land are in the property and administration of one of the partners;

-Declaration of Commitment. According to the Declaration of Commitment the applicant shall:

- -provide its own contribution from the eligible expenditure (the local cofinancing of 2%) and to budget amounts for the contribution from structural funds (amounts that will be spent in advance by the beneficiaries until the reimbursement of payments by the Managing Authority);
- -cover all non-eligible expenditures
- -maintain the property of infrastructure build/modernized/rehabilitated through a period of 5 years after the finalization, and to ensure the exploitation and maintaining in this period.

-Job descriptions and CV's for the positions that have a role in the implementation of the project.

-Technical documents (feasibility studies, technical designs, drawings etc) – not necessary for the first step of the application process (see II.3 for details).

Incomplete applications (with missing data) will be rejected.

iii. Where and how to send the application

Each application form should be bound (together with its annexes) in the way that pages could not be taken away from a whole set. The very first page of the Application Form should be visible, where <Name of the Applicant>, <Priority Axis> and <Measure> should be written by the applicant. A full electronic version of the Application Form and its annexes must be also enclosed on a CD.

Applications must be received in a sealed envelope by registered mail, private courier service or by hand-delivery (a signed and dated certificate of receipt will be given to the deliverer) at the address below:

Postal address, Address for hand delivery or by courier service

CBC Regional Office Calarasi

Str. 1 Decembrie 1918, no. 1, Calarasi, Calarasi County.

Tel. +40 242 313 091

Fax +40 242 313 092

E-mail: info@calarasicbc.ro

Applications sent by any other means (e.g. by fax or by e-mail) or delivered to other addresses will be rejected.

Applications (application form and annexes) shall be submitted in one original and 3 copies, bound in A4 format.

The complete application form must also be supplied in electronic format (CD-Rom). The electronic format must contain **exactly the same** proposal as the paper version enclosed. The documents issued by public authorities or other bodies should be scanned. Each component of the application must be submitted in a separate and unique electronic file (e.g. the application form must not be split into several different files).

The outer envelope must bear the **title of the call for proposals**, the full name and address of the applicant, and the words "Not to be opened before the opening session" and " A nu se deschide inainte de sedinta de deschidere".

iv. Deadline for receipt of applications

The deadline for the receipt of applications is _____ 2008.

Any application registered after the deadline will automatically be rejected even if the postmark indicates a date preceding the deadline or if the delay is due to the courier service.

II.3. Evaluation and Selection of Applications

The evaluation and selection of applications will take place as follows:

- a) one-step procedure – for non-investment projects, i.e. projects which do not need for their implementation feasibility studies, technical documentation etc;
- b) two-step procedure – for investment projects; in this case, the application forms shall be evaluated and pre-approved based on the application form without technical documentation, which must be provided in the second phase.

The project evaluation and selection criteria prepared by the Managing Authority together with the Bulgarian National Authority and the Joint Technical Secretariat are approved by the Joint Monitoring Committee and will be made available to potential beneficiaries on the websites and as annex to the Applicant's Guide.

An assessment working group approved by the Managing Authority at the proposal of the Joint Technical Secretariat and formed of Joint Technical Secretariat staff and independent experts (if necessary) and assisted by observers from the Managing Authority shall be in charge with project evaluation and ranking. After the ranking is done, the list of projects is submitted to the approval of the Joint Steering Committee.

In course of the evaluation and selection process, three sets of criteria will be used: administrative criteria (to check admissibility), eligibility criteria (mandatory criteria to be met by all projects) and evaluation criteria (used to rank projects).

In the administrative phase the applications are checked for completeness, that means that all necessary documents are present in the application pack and if they follow the standard application forms. As for the eligibility, the eligibility of beneficiaries, activities and expenditure will be verified.

The operations are eligible if they fall within the programme objectives, priority axes and key areas of interventions while observing other supplementary criteria set out by the Joint Monitoring Committee for each call for proposals, according to Chapter II.1.

The eligible beneficiaries are described in chapter II.1.

The eligibility also refers to: overall relevance to European Territorial Cross-Border Cooperation, specific relevance to the Romania-Bulgaria CBC Programme, specific impact upon the Romania-Bulgaria CBC area, cross-border cooperation partnership, project implementation and financial structure, incorporation of horizontal themes.

The technical and financial evaluation is the last phase of the evaluation and it is this phase that the projects are ranked by the assessment working group according to the technical and financial characteristics of the project. In this phase, the eligibility of expenditures is also verified (chapter II.1.). After the pre-ranking, the projects are forwarded to the Joint Steering Committee, which selects the projects.

The technical and financial evaluation is realized by awarding scoring points and it refers to: consistency with the programme, project maturity, and value for money, programme-wide assessment.

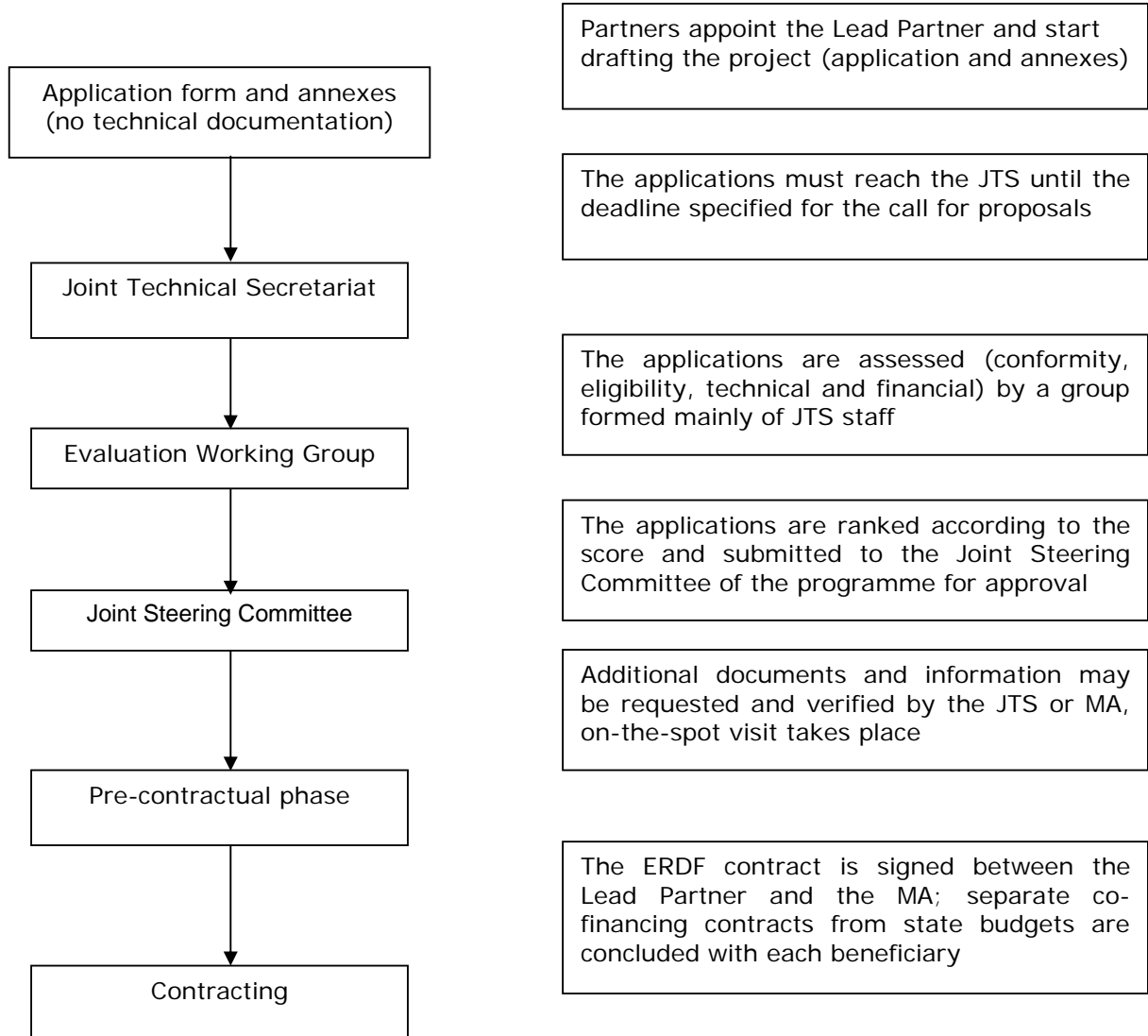
After the evaluation is finalized (the Joint Steering Committee approves the projects), all Lead Partners that applied will receive notification on the approval/rejection of the project. Lead partners may receive requests for clarifications during the evaluation, for themselves and all partners. These requests must be answered in maximum 5 working days, according to the time limit set in the written request for clarification.

All evaluation criteria are presented in Annex ____.

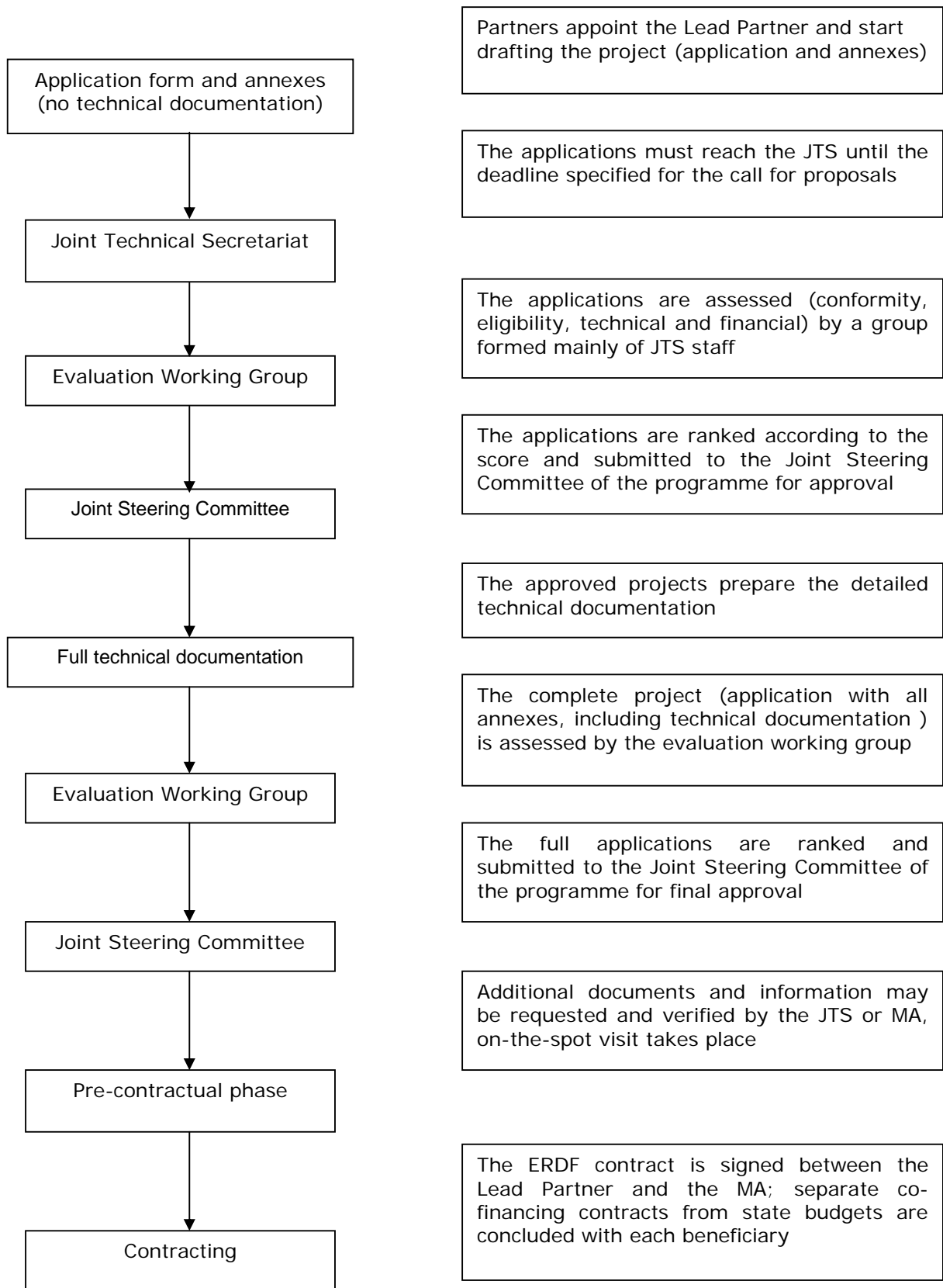
For the non-investment projects, the decision of the Joint Steering Committee is followed by the pre-contractual phase and then the contracts will be concluded.

For the investment projects, the pre-approval of the Joint Steering Committee will be followed by the applicants' obligation to complete the technical documentation, based on which a second evaluation will take place and a final approval will be given. Then the pre-contractual phase and the conclusion of contracts will be completed.

a) One-step evaluation procedure (for non-investment projects)



b) Two-step evaluation procedure (for investment projects)



III. Pre-Contractual conditions

After the Joint Steering Committee approves the projects, the JTS notifies all applicants if their project has been approved or rejected.

For the approved projects, the JTS drafts the subsidy contracts, which are signed between the MA and the Lead Partner. Also, for cofinancing, the JTS drafts the cofinancing contracts, which are signed only with the condition that the subsidy contracts are signed; cofinancing contracts are concluded between the National Authority (Ministry of Development and Regional Development) and the Bulgarian partners on one hand and between the Managing Authority (Ministry of Development and Regional Development) and Romanian partners on the other hand. *All contracts will be signed by the beneficiaries at the JTS.*

Before the signing of the contracts, other documents may be requested by the JTS and on-the-spot visits will be made also by the JTS for each project. On-the-spot visits may be done also by the MA and by any other bodies with responsibilities in the implementation of the programme. All partners have the obligation to provide all necessary documents and to be available for the on-the-spot visits in order for the contracts to be signed (e.g. partnership agreement-see Annex for model- must be presented to the MA before the signing of the contract).

Changes in budget lines, component budgets and partner budgets are allowed only once before the signing of the contracts, in limit of 10% of the total eligible expenditure, with the previous notification of the Managing Authority through the Joint Technical Secretariat and as long as the maximum amount of funding awarded remains and the major issues of the operation are not affected.

The contracts will be signed by the MA and then send to the Joint Technical Secretariat. The partners and Lead Partners must present to the Joint Technical Secretariat for signing the contract in the deadline specified by the JTS (approximately two weeks after the MA signs the contract).

IV. Annexes
