	<b>INTERREG-IPA CBC PROGRAMMES MANUAL</b>		<b>Chapter 3</b>
	<b>Annex 3.4. Record of questions</b>		
	<b>Version: 1 September 2015</b>	<b>Revision: .... Month/Year</b>	<b>Page 1 of 10</b>

## Record of questions

### Information days / Information campaign

#### in the framework of the

### INTERREG-IPA Bulgaria – Serbia CBC Programme, CCI Number: 2014TC16I5CB007-2015-1

No.	Question	Answer
1	Is a lead partner – NGO registered in public benefit, eligible, if its registration and management address is in Sofia, but the project activities are planned to be implemented on the territory of the eligible regions according to the Guidelines for applicants?	<p>According to p. 2.5.2. “Lead partner Principle” in the Guidelines for applicants under the Interreg – IPA Cross-border cooperation Bulgaria – Serbia Programme, in order the eligibility of the Lead partner to be ensured it should be registered on the territory of Bulgaria or Serbia at least 12 months prior to the deadline for submission of project proposals. Additionally, the Lead partner and the other project partners should fulfil the requirements concerning the eligibility of applicants, described in p. 2.5.1 of the Guidelines for applicants.</p> <p>A legally established entity (acting as Lead partner or Project partner), located outside the eligible cross-border area, but still on the territory of Bulgaria or Serbia, may participate under the Call for Proposals provided that the envisaged operations in the proposed project are for the benefit of the programme area.</p>
2	We are interested if a NGO registered in public benefit, established in 2013, but with headquarters and management address re-registered in the end of 2015 in the eligible cross-border area of Bulgaria – Serbia, is eligible under the current call for project proposals, in case all others requirements are fulfilled?	<p>According to p. 2.5.2. “Lead partner Principle” in the Guidelines for applicants, one of the requirements for eligibility of the Lead partner is to be registered within the territory of Bulgaria or Serbia at least 12 months to the deadline for submission of project proposals. There is no restriction related to date of registration of other partner/s in the project.</p> <p>Additionally, the Lead partner and the other project partners should fulfil the requirements concerning the eligibility of applicants, described in p. 2.5.1 of the Guidelines for applicants.</p>

3	<p>Is it acceptable, if a project under Priority Axis 3. Environment covers “common natural resource”, envisages interventions / investments to be carried out in two different rivers (one in Bulgaria and other in Serbia), provided that the project contributes to the natural protection of the region as a whole?</p>	<p>An eligible project under the First Call for proposals is any project, which consists of eligible activities (activities compliant to the eligibility criteria, under the respective Priority axes/Specific objective, mentioned in the Guidelines for Applicants). There is no explicit requirement, specified in the Guidelines for Applicants, the object of intervention to be related to a “common natural resource”. In all cases, the project activities have to show clear cross-border impact.</p>
4	<p>Is it eligible if project under Priority Axis 2. Youth, where cultural activities are envisaged to be implemented by one project partner and sport activities by other project partner, or it has to envisage mirror-activities (only cultural activities, only sport activities)?</p>	<p>There is no requirement, specified in the Guidelines for Applicants that mirror-activities should be implemented in both sides of the border, but in all cases the project activities have to show clear cross-border impact.</p>
5	<p>Is it necessary to publish officially a service contract notice or other relevant document, if the project preparation is assigned with a single tender procedure, according to PRAG?</p>	<p>The project preparation expenditures have to be assigned according to the procurement rules mentioned in p. 2.3 of the Guidelines for Applicants, observing all requirements of the respective type of tender procedure. PRAG annexes and procedures should be followed in the process of preparation of tender dossier and implementation of tender procedure. According to the current PRAG rules, the single tender procedure does not require publication of service contract notice.</p>
6	<p>Is it envisaged, that the Guidelines for Applicants under the First Call for proposals to be published in Bulgarian?</p>	<p>The Guidelines for applicants are available only in English, because the official language of the Programme is English.</p>
7	<p>According to the Guidelines (page 49): “... all supporting documents must be presented either in original (when it is possible) or in the form of copies, certified “True copy” by the legal representative or an authorized person from the Lead partner and/or the respective project partner. No notary certifications are needed at the stage of application”. At the same time some of the documents required from the Bulgarian partners (as Ownership act, Positive Environmental Impact Assessment, detailed works design) must to be presented in notary certified copy. So, please give to the beneficiaries some final explanation about the form of the documents that must to be presented as a copy from the Bulgarian partners – in certified “True copy” form, or notary certified?</p>	<p>The full sentence in section “Important” on page 49 of the Guidelines for applicants says that: “Unless stated differently, all supporting documents must be presented either in original (when it is possible) or in the form of copies, certified “True copy” by the legal representative or an authorized person from the Lead partner and/or the respective project partner”.</p> <p>You should follow the instructions for submission of each supporting document as described in the Guidelines for applicants.</p>

<p>8</p>	<p>It the Guidelines for Applicants is not clearly stated whether the branches of organizations (agencies) registered in the indicated districts (eligible area) can apply under the Programme or it refers only to organization, which main offices are located in the eligible area?</p>	<p>As an exception to the requirement the applicants to be legally established organizations according to the national legislation (p. 2.5.1 "General Criteria for Eligibility of Applicants" of the Guidelines for applicants) subsidiary structures of local/regional/national authorities are eligible applicants.</p> <p>Regional structures/branches of central organizations, other than local/regional/national authorities, are ineligible applicants under this Call for proposals. For Bulgarian applicants this means that even though a regional structure/branch may have its own registration code (as an extension to the registration code of its central body), it is still not a separate legal entity and therefore only the central structure could be a project partner.</p>
<p>9</p>	<p>How to determine the eligibility of "Southwest state enterprise" DP which is registered under the Forest law of Republic of Bulgaria:</p> <p>Art. 163. (1) The management of forest areas - state property, which are not committed to the administrations or legal entities, is establishing state enterprises in compliance with Annex № 1.</p> <p>2) The enterprises under paragraph 1 are legal entities with statute of state enterprise under art. 62, paragraph 3 of the Commercial law.</p> <p>(3) The Minister of agriculture and foods defines with an ordinance the ranges of action of the state enterprises under paragraph 1.</p> <p>Art. 164. The state enterprises under art. 163 have subsidiary structure:</p> <ol style="list-style-type: none"> <li>1. Central structure;</li> <li>2. Regional structures – state forestries and state reserves.</li> </ol> <p>Article 165. (1) The main activity of the state enterprises under Art. is:</p> <ol style="list-style-type: none"> <li>1. implementation of forest management plans for forest areas - state property;</li> </ol>	<p>The criteria for eligibility of applicants under the Programme are described in point 2.5.1 of the Guidelines for applicants. Please, note that these criteria are cumulative and must be fulfilled all together.</p> <p>Particular attention should be paid to the following:</p> <ul style="list-style-type: none"> <li>- Exception to the rule the applicants to be registered in the eligible cross-border region is made for national/regional public authorities whose area of competence, established by legal acts, extends to the eligible area of the programme. Further exception to this rule is the eligibility of applicants that are located outside the eligible cross-border regions, ensuring that the envisaged operations in the proposed project are for the benefit of the programme area.</li> <li>- In order to be eligible, the applicants must be non-profit making organizations.</li> </ul>

- 2. implementation of the hunting plans in the state reserves and the state forestry;
- 3. implementation of maintenance and / or restoration activities in forest areas - state property included in protected areas management plans;
- 4. organizing and conducting of events for protection of forest areas - state property;
- 5. organizing and conducting of anti-erosion activities;
- 6. maintenance of the ecosystems diversity and biodiversity conservation;
- 7. organization and assignment of design and construction activities in forests and lands in forest areas - state property;
- 8. creating new forests on agricultural lands;
- 9. protection of forest areas - state property;
- 10. provision of public services.

Article 166.

(7) The state enterprises can apply for operational programs, as well as international, national and regional programs and can be equal participants in the procedures of the Public Procurement Act, except those for inventory, elaboration and implementation of forest management plans and programs.

According to the Commercial Law


**ESTABLISHMENT**

Article 62.(3) State enterprises that are not trade companies can be established by law.

According to the above laws can be considered that Southwest state enterprise Blagoevgrad is eligible under the program?

<p>10</p>	<p>I have a foundation established 10 years ago, but up to the current period the foundation was not operational. I would like to apply under the current Programme and therefore I intend to declare start of the operation of the foundation. In the documents concerning the eligibility of candidates is written the following:</p> <p>"2) Potential applicants are not eligible to participate in calls for proposals if:</p> <p>(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 the national legislation or EU regulations;"</p> <p>.....</p> <p>"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"</p> <p>Please provide me with explanation of "have suspended business activities", and its relation to "the exclusion applies for a period of two years from the time when the infringement is established".</p> <p>There is no any violation by myside for which the foundation to be inactive or suspended. I have declared that up to now and from the beginning the foundation is not operational. In my opinion now is the proper time to start its activity taking into consideration the project proposal I would like to apply for.</p>	<p>To be eligible under the First Call for proposal the Lead partner and the other project partners should fulfil the requirements, described in p. 2.5.1 of the Guidelines for applicants.</p> <p>For explanation of "have suspended business activities" please refer to relevant EU Regulations and national legislation.</p>
<p>11</p>	<p>There is no clear information stated in the Guidelines for Applicants if the "Non-government organizations", as a term, includes foundations. My question is prompted by the fact that in some text of the Guidelines is stated that the non-government organizations are eligible applicants, and in other texts the foundations are specified separately from the Non-government organizations. Is it the above discrepancy accidentally or the foundations are eligible applicants under some of the Programme specific objectives (please see specific</p>	<p>As specified in p. 2.5.1. of the Guidelines for applicants, the candidates should be non-profit making organizations, registered in the eligible cross-border region between Bulgaria and Serbia and directly responsible for the preparation and management of the action, not acting as an intermediary. Additionally the candidates should be legally established organizations (legal persons) according to the national legislation of the state on whose territory they are located. Exceptions are also indicated there.</p>

	objectives 1.1, 1.2, 1.3 and 2.1 from the Guidelines for Applicants)?	The list of potential beneficiaries under each specific objective is indicative.
12	How many projects one applicant can submit? Can one municipality submit project as lead partner under priority 1 and under priority 2?	<p>Under the current Call for proposals an institution/organization may submit maximum one project proposals as a Lead Partner. In case an institution/organization has submitted more than one project proposal as a Lead Partner, all these proposals (submitted as Lead partner) will be eliminated at the administrative assessment stage. In addition, an organization may participate in no more than 3 (three) project proposals as a partner (i.e. if an organization/institution has submitted a proposal as a Lead Partner, the same organization can be a project partner in no more than 2 (two) other projects; an organization that has not submitted a project as a Lead Partner, can participate as a project partner in no more than 3 (three) projects). In case an organization participates in more than 3 (three) project proposals, all submitted proposals will be eliminated at the opening stage of the evaluation.</p> <p>The above requirement, specified in point 2.5.3 of the Guidelines for Applicants, applies to all three Priority Axes as a whole, meaning that an organization may be a Lead partner in only one project proposal, regardless of whether it is under Priority Axis 1, 2 or 3,</p>
13	Will costs for project elaboration during months September and October 2015 be considered eligible? What is the acceptable max sum for project preparation which could be reimbursed? Projects need to be submitted in English – in this line will the translation cost be considered eligible also? External expertise for proper filling of the project application form could be considered eligible cost or no?	To be considered eligible expenditures, the project preparation costs should be carried out before or on the date of submission of the project proposals at the latest. It means that all supporting documents as invoices, acceptance protocols, lists, etc., should be issued before or on the date of submission of the project proposal to the Managing Authority at the latest. The maximum rate of the project preparation costs is 3% of the total project direct costs under the project and they cover the expenses for project preparation (meetings between partners, consultancy, elaboration of technical documentation (incl. feasibility studies, detailed design, technical drawings, etc.), elaboration of project proposal and application form, translation of documents, taxes and other charges). In case of sub-contracting project preparation activities, procurement rules, mentioned in point 2.3 of the Guidelines for applicants, should be observed in order for the costs to be eligible for reimbursement under the Programme.
14	Regarding the requirement for realistic market-based costs, which is a criterion in the evaluation table, could you clarify does it mean that you ask to submit offers from suppliers	The proposed unit rates should be actual and realistic, not overestimated and be in compliance with the actual market prices. There is no requirement for additional documents (offers, market researches, etc.)

	<b>INTERREG-IPA CBC PROGRAMMES MANUAL</b>		<b>Chapter 3</b>
	<b>Annex 3.4. Record of questions</b>		
	<b>Version: 1 September 2015</b>	<b>Revision: .... Month/Year</b>	<b>Page 7 of 10</b>

	of services – for instance translation, advertising, trainers for seminars, etc.? How many offers per service type we have to submit?	to be submitted with the project proposal.
15	What is the percentage of the advance payments under the project?	<p>According to the Guidelines of applicants, Annex C. Subsidy contract, the following rules are going to be applied concerning the advance payment of the projects:</p> <p>4.1. For soft projects:</p> <p>The LP may request advance payment at the rate of 20 % of the total amount of the Contract.</p> <p>4.2. For investment projects:</p> <p>The LP may request advance payment in two installments:</p> <ul style="list-style-type: none"> <li>- The LP may request the first installment of the advance payment at the rate of 10 % of the total amount of the Contract after the Contract enters into force.</li> <li>- The LP may request the second installment of the advance payment at the rate of 10% of the total amount of the Contract after one of the project partners awarded a sub-contract for investment activity.</li> </ul>
16	Is it possible the project manager to be a person external for the lead partner (municipality)? Also it is possible an independent expert to be involved for the PR, communication and dissemination activities under the project, i.e. person who is not employee of the municipality?	<p>The appointment of the staff by the beneficiary is its own responsibility and has to be made in accordance with European and national legislation. Taking into account that the members of the project staff perform periodically repetitive actions related to the organization, coordination, management and reporting of the activities and results related to the project during the project period, the proposed (exemplary) positions for the project staff members are project manager, coordinator, accountant and assistant.</p> <p>In BL 4. EXTERNAL EXPERTISE AND SERVICES COSTS of the project partner budget could be included an external services in case they are well justified and are needed for the purposes of the project. These external services could not overlap the responsibilities related to staff mentioned above.</p> <p>The eligibility of expenditures under the First call for proposal is specified in point 2.5.8 of the Guidelines for applicants.</p>

17	<p>Regarding so called “flat rates” is there any requirement related to local legislative provisions – for instance: the monthly salary and respectively the daily wages of the accountant of the municipality are fixed. How to pay for additional activities within the project under the programme: accountant will spend few hours each month for the activities under the project which could be supplementary paid. In order to use the flat rates is it required to stick to the hour wages per hour payable within the current monthly salary or it is allowed the wages to be different?</p>	<p>The appointment of the staff by the beneficiary is its own responsibility and must to be made in accordance with national labor legislation. There is no specific requirement in the Guidelines for Applicants, which stipulates that internal experts of the beneficiary should be appointed as a project staff.</p>
18	<p>Regarding the indicators for Skills and entrepreneurship – where is the list of applicable indicators or they need to be defined with the project preparation? Number of young people attending seminar is acceptable indicator or not?</p>	<p>The output indicators are different for each Priority Axis and Specific Objective. Once the applicant select the Priority Axis and the Specific Objective in the Cover sheet of the Application Form, the respective set of possible output indicators shall appear in Part II of the Application Form “Project Identification”, point 5.1 “Expected outputs”.</p>
19	<p>What is definition for young people which you accept for the purpose of priorities of the programme?</p>	<p>According to the Programme document, young people are people up to the age of 29. Additionally, eligible target groups under the programme are both young people (up to the age of 29) and pupils in primary and secondary schools.</p>
20	<p>Can soft project under priority 2 of the programme include research (as external consulting service) for level of unemployment in the cross – border area in the sector of agriculture and measures at regional level to reduce and overcome unemployment or this activity will be considered not relevant?</p>	<p>The eligibility of activities under the First call for proposals is specified in point 2.5.6 of the Guidelines for applicants. In addition, all project activities have to show clear cross-border impact.</p>
21	<p>In the example for investment project on page 33 the sum seems to be below 300 000 euro which is required threshold for investment projects or no?</p>	<p>The grant amounts and project duration are defined in section 2.4.5 of the Guidelines for applicants. Additionally, the example on page 33 of the GoA shows how to calculate the amount of BL1 and BL2 on the basis of the maximum flat rates for staff costs and office and administrative costs, and its total amount is an instance.</p>
22	<p>Is Sofia University “St. Kliment Ohridski” eligible beneficiary under Priority axis 3. Environment, Specific objective 3.1. Joint Risk Management?</p>	<p>To be eligible under the First Call for proposal the Lead partner and the other project partners should fulfil the requirements, described in p. 2.5.1 of the Guidelines for applicants.</p>





