

CONTRACTING AUTHORITIES' CLARIFICATIONS 2
"Cross Border Programme Serbia – Bosnia and Herzegovina"
2nd Call for Proposals
Publication ref.: EuropeAid/131735/L/ACT/IPA

N.	Question	Answer
58.	<p>Could you please explain the following requirement:</p> <p><i>"The following types of action are ineligible: ...Actions which envisage for the contract more than 85% of eligible costs to be procured services, works and supplies"</i></p> <p>What does it mean in practice? Will the beneficiary have to perform certain activities by himself instead of finding subcontractors, for example engage staff that will be paid from the project; but is this subcontracting also? This I meant for the activities that the beneficiary does not have trained staff for. In general, it is my opinion that it would be difficult to fulfill this recommendation in large scale projects because it would be difficult to put all of the other project costs into the 15% of the project value.</p>	<p>Art. 1.3 of the General Conditions applicable to European Union-financed grant contracts for external actions (included in the Application Package for reference), states that <i>"If the Beneficiary or, where applicable its partners, have to conclude contracts in order to carry out the Action, these may only cover a limited portion of the Action"</i></p> <p>Section 2.1.4.6 (Ineligible actions) of the Guidelines for Applicants, further defines such statement, explaining that actions which envisage using more than 85% of eligible costs for implementation contracts through secondary procurement (i.e. to procure services, works or supplies) will be considered ineligible.</p> <p>Thus, a maximum of 85% of eligible costs may be used for procurement of services, works and supplies.</p> <p>Please refer as well to Section 2.5.1 of the GfA for a definition of "implementation contracts".</p>
59.	<p>Is feasibility study for e.g. touristic complex eligible activity for Measure 1.1., Axis Economic development?</p>	<p>In the interest of equal treatment of applicants, neither the Contracting Authorities, nor the National or joint bodies in charge with the coordination of this Call for Proposals, will give a prior opinion on the eligibility of an applicant, a partner, an action, or of specific activities within an Action (Section 2.2.4. of the Guidelines for Applicants).</p> <p>Please refer to Section 2.1.4.5 (Types of action/activity) of the Guidelines for Applicants.</p>



60.	<p>In order to be considered eligible, does an applicant's or a partner's area of operations has to coincide with the area of its registration? For example, is a public institute that is registered in Banja Luka, but operates throughout Bosnia and Herzegovina, including the eligible area for the Programme in title, eligible applicant/partner? How the institute can prove the area of its operations?</p>	<p>According to Section 2.1.1.1 (Place of establishment) of the Guidelines for Applicants, to be eligible for a grant, applicants must be established in Serbia when applying for the allocation for Serbia and be established in Bosnia and Herzegovina when applying for the allocation for Bosnia and Herzegovina.</p> <p>However, the action must take place in the Programme area in Serbia and/or Bosnia and Herzegovina.</p> <p>As regards eligibility of partners, please refer to paragraph 2.1.2 Partners and eligibility of partners of the Guidelines for Applicants.</p>
61.	<p>We are a Faculty of Technology from Zvornik, BiH. Our Faculty belongs to the University of Istocno Novo Sarajevo, but is seated in Zvornik. We are interested to apply within the Programme and we have three questions:</p> <p>Can we apply in some projects as partners, and in some others as applicants, more precisely as a Lead Applicant?</p>	<p>Please refer to Section 2.1.4.7 (Number of proposals and grants per applicants) of the Guidelines for Applicant.</p>
62.	<p>Can we at the same time be partners to the Lead Applicant from BiH and to the Applicant from Serbia?</p>	<p>Please refer to Section 2.1.4.7 (Number of proposals and grants per applicants) of the Guidelines for Applicants.</p>
63.	<p>Can we choose as partners organizations that are not on the eligible territory? Can we, or the Applicant from Serbia, have the Faculty of Technology and Metallurgy from Belgrade as our partner? Can we also have partners from Slovenia?</p>	<p>Please refer to Section 2.1.2. (Partnership and eligibility of partners) of the Guidelines for Applicants and, more specifically, to its subsection 2.1.1.1. (Place of Establishment).</p>



64.	<p>HELP Hilfe – zur Selbsthilfe e.V. is a German NGO with the headquarters in Bonn, which implements projects around the world. On the territory of former Yugoslavia HELP has its branch offices in Serbia, Montenegro and Bosnia and Herzegovina. Branch offices are registered in line with the host countries' laws.</p> <p>HELP Hilfe – zur Selbsthilfe e.V. plans to apply with the cross-border project and we are interested is it possible for HELP Serbia and HELP BiH to be cross-border partners since both organizations are branch offices of the main organization registered in Bonn, Germany, and on the other hand the organizations are also registered as branch offices of the foreign NGO (legal persons) in the stated eligible for the implementation of the projects.</p>	Please refer to answer n. 62 above.
65.	Are necessary legal authorizations (e.g.: location and construction permits) eligible costs within budget?	<p>Such costs can be eligible if they are actually incurred by the beneficiary and meet the criteria set in Section 2.1.5.1. (Eligible direct costs) of the Guidelines for Applicants.</p> <p>However, be advised that according to Section 2.2.1.3. (Additional supporting documents required) of the Guidelines for Applicants, the applicants whose projects involve the execution of works must submit all necessary legal authorizations (e.g. location and construction permits) within their application which means that the mentioned documents must be obtained prior to the submission of the proposal under this Call and, even more so, prior to the possible selection of the project for grant award.</p>
66.	Is it possible to buy equipment and vehicle and to transfer those to the local partner which is public institution with the aim of building capacities of the project partner and the sustainability of the project?	Please refer to Article 7 (Ownership/use of results and equipment) of the Annex 2 General Conditions applicable to EU-financed grant contracts for external actions



67.	Do we enter the same text under the headings Relevance of the Action both in the Concept Note and in the Full Application Form?	As stated in the Guidance for the drafting of the Concept Note, potential Applicants should respond <i>“in the same sequence, to the heading listed in the Concept Note and in the Application Form. It is expected that the size of each section will reflect the relative importance of each heading”</i> . The information requested under both headings in question is the same; however there is no such requirement as to exactly copy paste the text.
68.	The Full Application Form foresees the heading 1.7 Description of the Action and its effectiveness (max 13 pages) with Expected results (max 5 pages), proposed activities and their effectiveness (max 9 pages), and the Table describing in detail the activities. Does the Applicant have to describe the results on max 5 pages, activities on max 9 pages and to repeat the same in the table, or these 13 pages are related to the table itself containing description of activities, results, effectiveness etc? Also, 5+9 is 14, not 13.	Under the heading 1.7 Description of Activities you can add textboxes up to 5 pages for the description of the Expected results (textboxes are positioned under the explanation for the description of the Expected results). As for the Activities, you describe them only in the tables by entering required data. Tables are automatically added by adding activities under 1.4 where one page equals one table. However, you can add as many activities (tables) as your project requires regardless of number of pages.
69.	The Municipality of Tuzla is one of the Applicants in joint project with Sremska Mitrovica under CBC Programme Serbia - Bosnia and Herzegovina. During our work in the Application form, sheet Full Application form, chapter 1.7. Description of the action and its effectiveness it was easy to add textboxes as many as we have activities. The problem is that in excel format of Application form for each activity is predicted one page. As we have more than 9 activities we will have more than 9 pages what is the maximum in accordance with instruction. Could you help us in solving this problem?	The requirement for max 9 pages is irrelevant in this case, and you can add as many activities (tables) as your project requires regardless of number of pages.

70.	On the slide n. 11 of the info-days power point presentation titled Allocations per Measure and per Country, axes Economic Development and Environment are empty for the year 2011, while axes Social Cohesion and Exchange of People and Ideas have certain amounts allocated in the year 2011. Does this mean that it is not possible to apply for the axes Economic Development and Environment within the year 2011?	<p>The CBC programmes receive yearly funds allocations by the EU, but the period in which these funds can be contracted and spent spans over a longer period of time and the applicants should not be concerned about these deadlines at this stage.</p> <p>The overall indicative amount for this Call for Proposals, for which you can apply, includes the presented allocations for all three years (2009, 2010, and 2011), therefore proposals submitted under this Call may freely refer to any priority axe.</p>
71.	At 24 and 25 page of the GFA are listed documents which should be sent. Does this mean that we must send: Application Form (Annex A), Statute, latest account, LEF (Annex B), FIF (Annex C) by 05.12.2011? If so, then it means opening a bank account for FIF document.	<p>Yes, all the Application Form and all of the documents listed in the 2.2.1.3 Additional supporting documents required of the Guidelines for Applicants have to be submitted by the mentioned deadline.</p> <p>As for the FIF document, the opening of a separate bank account or subaccount is required if the project is approved for financing.</p> <p>For the time being you can list your current bank account in the FIF document, certified by the bank to which the payments will be made.</p>
72.	Regarding to Par. 1.3.4 "Size of EU IPA grants" (and answer N.37) where you say "The minimum and maximum amount refers to the value of each grant (not the sum of two grants)", it is possible to submit a proposal of 800.000,00 Euro as total maximum project amount for both applicants, one from Serbia and the other from Bosnia and Herzegovina and their partners?	<p>Yes, it is possible to submit a proposal of 800.000,00 EUR as total maximum amount of two grants in case the application is dealing with Measure 1.1.</p>

