

**IPA Component II - Cross-Border Programme Croatia – Bosnia and Herzegovina 2007-2013**

**3<sup>rd</sup> Call for Proposals**

**Reference: EuropeAid/134-964/L/ACT/IPA**

**Tender type: Grant**

**QUESTIONS AND ANSWERS**

**Date: 24 October 2013**

**NOTE: The final decision concerning eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities will be brought by the Evaluation Committee during the process of Evaluation of applications (subject to final approval by Contracting Authorities).**

**NOTE: Questions may be sent by e-mail or by fax no later than 21 days before the each deadline for the submission of applications. Final version of Q&A will be published no later than 11 days before deadline for the submission of applications.**

List of Abbreviations:

PRAG - Practical Guide for Contract Procedures for EU External Actions

GfA - Guidelines for Applicants

CfP - Call for Proposals

<b>no.</b>	<b>QUESTIONS</b>	<b>ANSWERS</b>
1	<p>In the Guidelines for Applicants HR-BIH in section 2.1.1. defined " (1) In order to be eligible for a grant, the applicants must: be non-profit legal persons established by public or private law for the purposes of public interest or specific purpose of meeting needs of general interest, which is proven by statute or articles of association/decision on establishment, of the respective institution in accordance with relevant law...</p> <p>Does it mean that non-profit persons (individuals-artisans, freelancers, etc.) and profit entities (individuals-artisans, freelancers...) private and public companies can apply and that the forms "Annex D - e3e2_lefcompany_en" and Annex D - e3e3_lefpublic_en are applicable to those.</p> <p>Is this true and can be applied private entities (companies and individuals-artisans, freelancers, etc.) for this program that provides</p>	<p>As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities.</p> <p>Relevant information related to the eligibility of applicants is provided in Section 2.1.1. „<i>Eligibility of Applicants (i.e. applicants and co-applicants</i>” of GfA.</p>

	tourism services.	
2	Are all applicants HR/BiH obligatory to register to PADOR database for IPA CBC grants or it is not necessary for this Call?	As stated under point 2.2. <i>How to apply and the procedures to follow</i> of the GfA prior registration in PADOR for applicants and their co-applicants and affiliated entities for this CFP is <b>not obligatory</b> .
3	<p>Please provide us with detail information about technical details concerning formatting and total number of pages acceptable.</p> <p>When you say that Concept note must not exceed 5 full pages (Arial 10, 2cm margins) do you mean 5 pages including your original text with bullets or 5 pages of applicant's new text concerning strictly our project and does this then also apply to Full application form?</p> <p>Please bear in mind that there is 1 full page of only bullets which live us little space for the project text.</p>	As stated in the Part A Concept note, point 1. Instructions for drafting the Concept note, the applicants must ensure that the <b>text</b> does not exceed 5 full pages (A4 size) of Arial 10 characters with 2 cm margins, single line spacing (not including the cover page and reference list). Deletion of the instructions in Concept note template is not recommended. Therefore, limitation regarding text (5 full pages) refers only to text inserted by applicants.
4	If the lead applicant is from the eligible area (of Bosnia and Herzegovina) but the co-applicants are from the adjacent areas (of Croatia and Bosnia and Herzegovina) and a part of the activities is conducted in the adjacent areas, is the project considered to be "project of eligible area" or "project of adjacent area"?	Project with even only one activity/expenditure planned in adjacent area is considered as adjacent project regardless of place of registration of applicants/co-applicants. Where the expenditure in adjacent area is planned and indicated, the project proposal will be treated as "adjacent areas project" as stated in <i>GfA 1.3 Financial allocation provided by the contracting authorities</i> .
5	What are the conditions that have to be met in order for the project to be considered as the "project of eligible area"?	<p>Actions must be implemented in the Programme area. The Programme area is made up of 'eligible' and 'adjacent' areas described in section 1.1 of GfA. It is clearly stated that:</p> <p><b>The action</b> must involve cross-border cooperation in order to be eligible i.e. <b>it must:</b></p> <ul style="list-style-type: none"> <li>• take place both in Croatian and BiH part of the Programme Area;</li> <li>• have effect both in Croatian and BiH part of the Programme Area;</li> <li>• foresee cooperation of the two cross-border applicants in at least one of the following ways (IPA IR Art.95 (2)): <ul style="list-style-type: none"> <li>– Joint project development: common design of the action, filling in a joint Grant Application Form and drawing up common budget;</li> <li>– Joint financing: costs of project activities are shared;</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>- Joint staffing: staff in charge of implementing project activities on both sides of the border act as one project team;</li> <li>- Joint implementation: activities are implemented in common across the border.</li> </ul> <p>In case that the applicants propose the activities that would be implemented outside of the Programme area, such activities may be considered to be accepted as justified only in the cases where the project objectives cannot be achieved or the project purpose cannot be met without them.</p>
6	<p>Please provide me with clarification on eligible activities under Measure 2.2 of this Call for Proposals.</p> <p>Is it eligible to include in the project (under Measure 2.2.) renovation of old school building for social services ( basic health care, education and info point on legal issues) that will be launched during the project time.</p> <p>And please provide me with clarification of “small infrastructure works”.</p>	<p>As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities.</p> <p>Relevant information related to the eligibility of actions is provided in Section 2.1.4. <i>“Eligible actions: actions for which an application may be made”</i> of GfA.</p> <p>The term <i>“small scale infrastructure”</i> refers to works proposed to be implemented as integral part of a bigger Action reflecting the nature and objectives of the CfP (examples of such small scale infrastructure can be found listed under Measure 1.1. types of action and activities.</p>
7	<p>I need information about applying for the cross-border cooperation projects Croatia - Bosnia and Herzegovina in the third call. I am an employee of <i>an</i> Airport, and my company is interested in participating in cross-border projects.</p> <p>The company is registered for the following activities:</p> <ul style="list-style-type: none"> <li>- Air traffic services,</li> <li>- air transport,</li> <li>- supporting and auxiliary activities in traffic,</li> <li>- cargo transshipment and storage,</li> <li>- catering services,</li> <li>- wholesale and retail,</li> </ul>	<p>As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities.</p> <p>Relevant information related to the eligibility of applicants is provided in Section 2.1.1. <i>„Eligibility of Applicants (i.e. applicants and co-applicants”</i> of GfA.</p>

	<p>- road transport services, etc... Ownership structure is as follows: - state capital ~ 65% - the investment funds ~ 30% - small shareholders ~ 5%.</p> <p>Please note that we are interested in projects related to tourism development and enrichment of tourist offer as well as environmental protection projects.</p>	
8	<p>Whether a consortium can be an applicant, since the document on establishing the consortium is a contract and not a court decision? We think that a form of a consortium is very acceptable with such grants, since it makes a good partnership environment. Besides, this the very consortium may apply in another project, just as the attorney is being changed in a consortium. In general, it is possible to make better combinations of the schedule of finances within the consortium as well as the division of activities.</p>	<p>As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities.</p> <p>Relevant information related to the eligibility of applicants is provided in Section 2.1.1. „<i>Eligibility of Applicants (i.e. applicants and co-applicants</i>” of GfA.</p> <p>Please note that co-applicants and affiliated entities must satisfy respectively the eligibility criteria as applicable to the applicants except the criterion of establishment as stated in Sections 2.1.1. and 2.1.2. of GfA.</p>
9	<p>Regarding the Application Form, at the point 1.1. Description of the Action, where it is given the format (table) to be used to describe the list of activities, in case we decide to describe Work Packages, do we have, in the table where is written “Description of the activity”, to describe the cluster of activities composing each Work Package (for example the 5 activities – 5 training courses - in the WP Training) or do I have to use one table for each activity?</p>	<p>If your project proposal is based on work packages you should prepare one table with detailed description of all included sub-activities per each work package. It is important that you describe the work packages logically and clearly using the template provided in Application Form.</p>
10	<p>Furthermore, regarding the Annex C2- List of indicators, do we have to consider the table exhaustive or can we add some indicators on the table like the ones you suggested</p> <p>They could include: number of workshops/seminars to be held; number of people to be trained; documents to be drafted and agreed between parties (e.g. studies for waste water treatment plants);</p>	<p>Programme indicators are defined in Programme document and listed in Annex C2. Your Action should reach any of preselected Programme indicators.</p> <p>List of indicators is used only as demonstration of possible types of indicators. Actual indicators (in column justification/ clarification) must be in line with your needs and specific scope of your project proposal.</p>

	<p>completion of building renovation; submission of an application to a state or international body (e.g. application to be placed on the UNESCO list of world heritage sites); number of kilometres of cycle track/road etc. to be paved; design, printing and dissemination of texts (e.g. tourist brochures).</p> <p>Or this other indicators may be further indicators to be added only in the Logical Framework?</p>	
11	<p>Regarding the expenditures, when there will be joint activities. If the HR partners are going to BiH, is better to allocate the money for the per diem to the BiH partners, hosting the HR ones, and vice versa? Is this what you suggest at page 20 of the guidelines?</p> <p>It is strongly recommended to use Croatian budget for financing the activities which take place in Croatia, and to use BiH budget for financing the activities which take place in BiH.</p>	<p>The recommendation refers to the limitations in cross border projects rising from the fact that taxes for costs incurred in other country than grant beneficiaries' country are not refundable by national law of the cross-border country. Additionally, in order to ensure efficient payment of travel costs and per-diems please be aware that you must respect national laws and accounting standards applicable to your institution. (E.g. some organizations are unable to pay travel costs/per diems/daily allowances/overnight stay to persons who are not employees of beneficiary institution). Furthermore, all costs must be identifiable and verifiable and supported by relevant supporting documents in order to be eligible.</p>
12	<p>Is it acceptable to engage one or more applicant's regular employees (whose job positions will not be listed under budget line 1- Human Resources as the Implementation Team), as occasional technical experts for clearly specified fields of expertise, as such budgeted under Budget lines 5 Other Costs, Services or 6 Others? In that case, their unit used in the budgeted process would be daily fee.</p>	<p>Please be aware that all experts listed under budget heading 5 must be selected in line with procurement procedures defined in <i>ANNEX IV Procurement by grant Beneficiaries in the context of European Union external actions</i> (document e3h3_awardproc_en.doc available in 3<sup>rd</sup> CfP tender dossier). <b>Hiring an "in house" expert/s (applicants', co-applicant's and or affiliated entity's staff) is not allowed.</b></p>
13	<p>It is stated in the Guideline document (page 20 that „the salaries of civil servants and other public employees of the central, regional and local administrations may be presented as co-financing contribution by the Applicant(s)“. Our question is: which procedure and the documents to be produced by the public institution in question in the project implementation process, are required by the Contracting Authority as the proof and mean of verification for this type of co-financing?</p>	<p>At the stage of implementation, in order to be considered eligible, all costs (covered by the EU grant and own contribution) must be documented and will be subject of verification.</p> <p>Please note that grant beneficiaries will receive instructions on project implementation through organised workshops after signature of the contracts.</p> <p>Please also refer to Article 14 Eligible cost of the General Conditions</p>

		applicable to European Union-financed grant contracts for external actions.
14	In the case of being provisionally selected, do the copies of the required documents listed under Chapter 2.4 of the Guidelines (the registration acts the statutes or articles of association, copies of the relevant law for public bodies) have to be officially verified (as being identical to the originals) by relevant institutions?	As stated under point 2.4. <i>Submission of supporting documents for provisionally selected applications</i> , the supporting documents requested must be supplied in the form of originals or photocopies (i.e. showing legible stamps, signatures and dates) of the said originals. However, the Legal entity sheet (LEF) and the financial identification form (FIF) must always be submitted in original. The copies of the documents do not have to be verified by relevant institutions.
15	For the documents listed under above Question (Question nr 15.) to be translated in English, is it required that the translation must be verified by certified translators?	Where such documents are not in one of the official languages of the European Union or in the language of the countries where the action is implemented, a translation into English of the relevant parts of these documents, proving the applicants' eligibility, must be attached and will prevail for the purpose of analyzing the application. Where these documents are in an official language of the European Union other than English it is strongly recommended, in order to facilitate the evaluation, to provide a translation of the relevant parts of the documents, proving the applicants' eligibility, into English. Translation of relevant part of the documents does not have to be verified by a certified translator.
16	Ref. to Chapters 4.1 (Description of the Co-Applicant(s)) and 5.1 (Description of the Affiliated Entity(ies)):  Question 1:  Is it obligatory that „Contact person for this action“ is the Co-applicant's (Affiliated Entity's) Mayor /Director, or this could also be a person directly responsible in the Co-applicant' /Affiliated Entity's for the matters that are subject of the proposed action (i.e Head of respective Department)?  Question 2:  Is it mandatory that the required formats (4.2 Mandate /5.2 Statement) are signed by the co-applicants' /affiliated entities' Mayor	Answer 1:  Regarding to the „Contact person for this action „please provide contact data for person familiar with the project proposal because during the evaluation process of project proposals this person will be contact point to JSC/CAs if some clarifications will be requested.  Answer 2:  Term “legally authorized” represents person authorized to sign official documents and legally bonding documents in line with national legislation and internal procedures of the organization. The eligible signature on behalf of both applicant and co-applicant should

	/Director?	be the person duly authorised to act on their behalf (person mentioned in the official document (statutes, registration document, power of attorney, notary statement, etc.) proving that the person who signs on behalf of the entity is duly authorised to do so.
17	Can co-applicant be non-governmental organisation such as association which doesn't have employed individuals, where work experts on voluntary basis. Experts, who are members of association, will be employed under the project with aim to realize goals of the project in the best way. Without such organization involved in a project quality of the project will be questioning.	As stated under point 2.2.4 of GfA, in the interest of equal treatment of applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of applicants is provided in Section 2.1.1. <i>"Eligibility of Applicants (i.e. applicants and co-applicants(s))"</i> of GfA.
18	In our project we would like to plan a study trip to a region in the EU (Germany and Italy) in order to demonstrate European best practices in agriculture to trainees from Croatia and BiH.  Since the study trip would take place out of the CBC programme area, could the costs for this activity be considered eligible in our project?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of costs is provided in section 2.1.5. <i>"Eligibility of costs: costs that can be included"</i> of the GfA.  In case that the applicants propose the activities that would be implemented outside of the programme area, such activities may be considered to be accepted as justified only in the cases where the project objectives cannot be achieved or the project purpose cannot be met without them.
19	In our project we would like to include an associate partner from an EU country outside the programme area. Is that allowed under this call for proposals?	Relevant information related to the associates is provided in Section 2.1.3. <i>"Associates and Contractors"</i> of GfA.
20	Regarding the Third Call for Proposals within The Cross-border Programme CBP between Croatia and Bosnia and Herzegovina 2007-2013, we would like to ask if regions from Serbia are eligible to participate as co-applicants, affiliated entities, associates or	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of applicants is provided in

	contractors. If they are eligible, which territories are included?	Section 2.1.1. <i>“Eligibility of Applicants (i.e. applicants and co-applicants(s))”</i> of GfA.
21	Is it allowed, within the grant given, to plan the means that would be allocated for starting of business (start-up companies, etc.)?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of actions is provided in Section 2.1.4. <i>“Eligible actions: actions for which an application may be made”</i> of GfA.
22	, we are preparing project application IPA BIH-HR, where our partners will be Slovenian citizens, so the question is the following:  Do Slovenian citizens, if they are the partners, can receive a fee and travel expenses from the project?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of costs is provided in section 2.1.5. <i>“Eligibility of costs: costs that can be included”</i> of the GfA.
23	I am writing to you from xxx organisation. We are in process of preparation of CBC projects. Cantonal Ministries expressed their interest in participation in projects, but there is a question they raised about them being Applicants or Co-applicants since they do not have Statutes, Accounts, registration acts. Each ministry is a part of the Government of the USC, which has all necessary documentation (including PADOR number). Could the ministries still be applicants or co-applicants or the Government of the USC should be?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of applicants is provided in Section 2.1.1. <i>“Eligibility of Applicants (i.e. applicants and co-applicants(s))”</i> of GfA.
24	Description of an affiliated entity is unclear. If applicant is cantonal ministry can the municipality situated on the territory of that canton be considered as an affiliated entity?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of affiliated entities is provided in Section 2.1.2. <i>“Affiliated entities”</i> of GfA.
25	Public Institution for Protected Values of some county is an applicant. Can the town situated on the territory of the same county (on which territory the Actions will take place) be considered as an affiliated	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities.

	entity?	Relevant information related to the eligibility of affiliated entities is provided in Section 2.1.2. <i>"Affiliated entities"</i> of GfA.
26	Is an applicant with its office registered in Sarajevo eligible to apply? The applicant operates on the territory of entire Federation of BiH and will execute all activities in eligible area.	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of applicants is provided in Section 2.1.1. <i>"Eligibility of Applicants (i.e. applicants and co-applicants(s))"</i> of GfA.
27	Is it eligible that an applicant who is registered in Sarajevo to budget the salaries of its staff as well as office and other overhead expenses?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of costs is provided in section 2.1.5. <i>"Eligibility of costs: costs that can be included"</i> of GfA.
28	Is the Ministry of agriculture of the FBiH eligible as co-applicant?	As stated under point 2.2.4 of GfA, in the interest of equal treatment of Applicants, the Contracting Authorities cannot give a prior opinion on the eligibility of applicants, co-applicant(s), affiliated entity(ies), an action, costs or specific activities. Relevant information related to the eligibility of applicants is provided in Section 2.1.1. <i>"Eligibility of Applicants (i.e. applicants and co-applicants(s))"</i> of GfA.
29	Is it eligible that an employee of public institutions or civil servant receives salary from the project? Can we use project money to cover their "Per Diems" and travel costs?	As stated under section 2.1.5. <i>"Eligibility of costs: costs that can be included"</i> of GfA: <i>"Civil servants or other public employees of central, regional or local administrations which participate under this Call for Proposals may not receive fees for their contribution to the Action other than their standard/regular salaries in the respective institution. The salaries of the civil servants or other public employees of the central, regional and local administrations may be presented as co-financing contribution by the Applicant(s)."</i>  Activities related to project implementation resulting in travel costs and/or

		per diems may be reimbursed from the project budget if they are necessary for the implementation of the action.
30	Is a salary of an employee of public institution or civil servant eligible as co-financing from an applicant or co-applicant to the project proposal?	As stated under section 2.1.5. <i>“Eligibility of costs: costs that can be included”</i> of GfA: <i>“The salaries of the civil servants or other public employees of the central, regional and local administrations may be presented as co-financing contribution by the Applicant(s).”</i> This applies to co-applicants and affiliated entities as well.