



## Call for presentation of project proposals

SMALL GRANT SCHEME No. 2

### **Small grant scheme for marine litter reduction measures**

under

Outcome 2: Marine Waters Assessment, Monitoring and  
Management System

of the

Environment Protection and Climate Change Programme

Deadline for project proposals submission: 29.05.2020, 5:00 p.m.  
Bulgarian time.

## Content

### CALL FOR PRESENTATION OF PROJECT PROPOSALS

#### CALL FOR PRESENTATION OF PROJECT PROPOSALS..... 1

#### I. MAIN TERMS AND ABBREVIATIONS..... 3

MAIN ABBREVIATIONS ..... 3

MAIN TERMS 4

#### I. BACKGROUND..... 7

1.	DEADLINE FOR PROJECT PROPOSALS SUBMISSION AND WORKING LANGUAGE: .....	8
2.	NAME OF THE PROGRAMME .....	8
3.	NAME OF THE PROGRAMME AREA.....	8
4.	NAME OF THE PROCEDURE .....	8
5.	TERRITORY OF IMPLEMENTATION OF THE PROJECT .....	8
6.	PURPOSE OF THE CALL AND STAKEHOLDERS.....	8
7.	DEMARCATON WITH SIMILAR PROJECTS/PROGRAMMES .....	8
8.	EXPECTED RESULTS .....	9
9.	ELIGIBLE APPLICANTS .....	11
10.	ELIGIBLE PARTNERS .....	13
11.	ELIGIBLE ACTIVITIES.....	14
12.	TOTAL PROCEDURE BUDGET.....	14
13.	MINIMUM AND MAXIMUM AMOUNT GRANT AMOUNT.....	14
14.	DURATION OF THE PROJECT .....	14
15.	GRANT INTENSITY AND CASH FLOWS.....	14
16.	ELIGIBLE COSTS .....	16
17.	INELIGIBLE COSTS.....	22
18.	PUBLIC PROCUREMENT .....	23
19.	STATE AID AND DE MINIMIS .....	23
20.	SUSTAINABILITY OF PROJECT PROPOSALS .....	29
21.	COMMUNICATION AND PUBLICITY REQUIREMENTS .....	30
22.	PROCEDURE FOR SUBMISSION OF PROJECT PROPOSALS .....	31
23.	LIST OF DOCUMENTS TO BE SUBMITTED AT THE APPLICATION STAGE.....	32
24.	SUPPORTING DOCUMENTS (IF APPLICABLE).....	34
25.	QUESTIONS AND ANSWERS .....	35
26.	PROCEDURE AND CRITERIA FOR EVALUATION OF PROJECT PROPOSALS .....	35
1.	ADMINISTRATIVE COMPLIANCE AND ELIGIBILITY OF APPLICANT/PARTNER .....	35
27.	OBJECTION AND APPEAL .....	62
28.	CONTRACT CONCLUDING PROCEDURE .....	62
29.	LIST OF DOCUMENTS TO BE SUBMITTED BEFORE THE CONTRACT CONCLUSION.....	63
30.	BILATERAL RELATIONS FUND .....	64
31.	ADDITIONAL INFORMATION .....	65
32.	LEGAL FRAMEWORK .....	65



## I. Main terms and abbreviations

### *Main abbreviations*

<b>The Programme</b>	Environment Protection and Climate Change Programme
<b>FMC</b>	Financial Mechanism Committee
<b>MoEW</b>	Ministry of Environment and Water
<b>NFP</b>	National Focal Point, Central Coordination Unit Directorate at the Administration of the Council of Ministers
<b>EEA FM</b>	Financial Mechanism of the European Economic Area 2014-2021
<b>FMO</b>	Financial Mechanism Office
<b>PO</b>	Programme Operator
<b>DPP</b>	Programme partner from donor countries
<b>Regulation</b>	Regulation on the Implementation of the EEA Financial Mechanism 2014-2021
<b>EUMIS 2020</b>	Information System for Management and Monitoring of EU Funds 2020
<b>PC</b>	Project contract
<b>ACEA</b>	Administrative Compliance and Eligibility Assessment
<b>TFE</b>	Technical and financial Evaluation
<b>EvC</b>	Evaluation Committee
<b>MCS</b>	Management and Control System
<b>NGO</b>	Non-governmental organization
<b>EPCC</b>	Environment Protection and Climate Change Programme
<b>CEA</b>	Classification of economic activities



QES	Qualified Electronic Signature
-----	--------------------------------

### **Main terms**

**“Activity”** - Action taken or work performed through which inputs, such as funds, technical assistance and other types of resources, are mobilised to produce specific outputs;

**Amendment:** A document amending or supplementing the terms of a contract for the implementation of a project;

**"Contractor designated by the Project Promoter "** - Executives of project activities assigned to them by the grant Project Promoters. The Project Promoter 's contractors are not partners and the terms and procedure for their determination are set out in the Public Procurement Act and its implementing regulations, as well as the Call for Proposals and Decree of the Council of Ministers 118/2014 ;

**"Donor States":** the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway;

**"Donor Programme Partner":** a public donor entity designated by the Financial Mechanism Committee to advise on the preparation and/or implementation of a programme and/or to participate in the implementation of a programme;

**"Eligible costs":** costs that may be accepted as authorized for a project within the meaning of Art. 8.2 "General principles on eligibility of expenditures", Art. 8.3 "Eligible direct costs in a project", Art. 8.5 "Indirect cost in projects" and Art. 8.6 "Purchase of real estate and land" of the Regulation of the implementation the European Economic Area Financial Mechanism 2014-2021;

**"Financial Mechanism Committee"** (hereinafter referred to as FMC): Committee set up by the Standing Committee of the European Free Trade Association States to manage the European Economic Area Financial Mechanism 2014-2021;

**"Financial Mechanism Office"** (FMO): an organization assisting the Financial Mechanism Committee in managing the EEA FM 2014-2021. FMO, which is administratively a part of the European Free Trade Association, is responsible for the day-to-day implementation of the EEA FM 2014-2021 on behalf of the FMC and serves as a contact point;

**“Grant”** - Funds provided by the European Economic Area Financial Mechanism (EEA FM), including the corresponding national co-financing, through the Programme Operator for the implementation of an approved project aimed at achieving certain objectives and results;

**“Project contract”:** A contract concluded between a Head of a Programme Operator or a person authorized by him/her and a project promoter to provide and spend a grant for the execution of an approved project;



**"Indicator"** - Quantitative or qualitative measurement unit that specifies what is to be measured in terms of a specific scale or value. It should always be expressed in neutral terms: it should not indicate the direction nor change nor embed s target;

**"Ineligible costs"**: costs that cannot be accepted as authorized under the project and cannot be included in a payment request within the meaning of Art. 8.7 "Excluded costs" of the Regulation on the Implementation of the European Economic Area Financial Mechanism 2014-2021;

**"Irregularity"**: An irregularity shall mean an infringement of the legal framework of the EEA Financial Mechanism 2014-2021 referred to in Article 1.5; any provision of European Union law; or any provision of the national law of the Beneficiary State, which affects or prejudices any stage of the implementation of the EEA Financial Mechanism 2014-2021 in the Beneficiary State, in particular, but not limited to, the implementation and/or the budget of any programme, project or other activities financed by the EEA Financial Mechanism 2014-2021;

**"Monitoring"**: The observation of programme and project implementation in order to ensure that agreed procedures are followed, to verify progress towards agreed outcomes and outputs and to identify potential problems in a timely manner so as to allow for corrective action. It is conducted by data collection and analysis.;

**"National Focal Point"**: a national public entity (Central Coordination Unit Directorate at the Administration of the Council of Ministers of the Republic of Bulgaria) designated by the Beneficiary State to have the overall responsibility for reaching the objectives of the European Economic Area Financial Mechanism 2014-2021 and implementing the Memorandum of Understanding;

**"Non-governmental organization"** (NGO): a non-profit voluntary organisation established as a legal entity, having a non-commercial purpose, independent of local, regional and central government, public entities, political parties and commercial organisations. Religious institutions and political parties are not considered non-governmental organizations;

**"Outputs"**: Outputs are the products, capital goods and services delivered by a programme to the direct target group. Outputs are easy to attribute directly to the resources used and the activities performed. They are usually within the greatest control of the implementing organisation;

**"Programme"**: A coherent set of measures to be implemented through i.a. projects supported by the European Economic Area Financial Mechanism 2014-2021 aimed at achieving agreed objectives and results;

**"Programme Agreement"**: agreement between the Financial Mechanism Committee (FMC) and the National Focal Point (NFP) governing the implementation of a specific Programme;

**"Programme area"**: a thematic area within a priority sector with specific objectives and measurable specific results;



**"Programme Implementation Agreement":** agreement between the Programme Operator (PO) and the National Focal Point (NFP) governing the implementation of a specific Programme;

**"Programme operator":** a public or private entity, commercial or non-commercial, as well as non-governmental organizations responsible for the preparation and implementation of the Programme;

**"Project":** A set of interrelated and complementary activities with a preliminary determined objective(s), necessary resources and a time frame for implementation, leading to the achievement of specific quantifiable results;

**"Project Promoter ":** A natural or legal person having the responsibility for the initiation, preparation and implementation of a project (Article 1.6 x) from the Regulation);

**"Project Partner":** a natural or legal person actively involved in, and effectively contributing to, the implementation of a project. It shares with the Project Promoter a common economic or social goal which is to be realised through the implementation of that project. (Article 1.6 w) from the Regulation);

**"Project proposal":** a grant proposal for a project funded by the EEA FM 2014-2021, including an Application form and other supporting and requisite documents;

**"Programme Implementation Agreement:** An agreement between the Programme Operator (PO) and the National Focal Point (NFP) governing the implementation of the specific Programme;

**"Stakeholders"** in a project or programme may be local community members or civil society organisations who may benefit from the results. They may also be local public authorities. (According to Results Guideline)

**"De minimis State Aid"** - Aid which does not distort or threaten the competition or has minor effect on it because of its minimum size as defined in Regulation 1407/2013.



## I. Background

The present Call for proposals is under the Environment Protection and Climate Change Programme, financed with (85%) of the EEA FM and co-financed (15%) by the Republic of Bulgaria. General information on the FM of the EEA is available on [www.eea.grants.org](http://www.eea.grants.org), [www.eeaqrants.bg](http://www.eeaqrants.bg).

The Programme is implemented on the basis of the Memorandum of Understanding on the implementation of the EEA Financial Mechanism 2014-2021, which sets out the areas of action of the Programme and the Programme Agreement, including Annexes I and II signed on 10.04.2018 between the Financial Mechanism Committee and the National Focal Point.

Pursuant to an agreement, signed on 10.07.2018 for the implementation of the Programme with the National Focal Point, the Ministry of Environment and Water of the Republic of Bulgaria has designated as a Programme Operator, responsible for the implementation and the achievement of the objectives set .

The Programme aims to improve the environmental status in ecosystems and to reduce the impact of pollution and other human activities and to contribute to the overall objectives of the European Economic Area Financial Mechanism 2014-2021 and in particular the reduction of the economic and social differences in the European Economic Area countries and strengthening of bilateral relations between the Donor States and Bulgaria.

The Environmental Protection and Climate Change Programme contributes to two Programme areas:

- Programme area 11 – Environment and ecosystems;
- Programme area 13 – Mitigation and adaptation to climate change.

The total budget on the Environment Protection and Climate Change Programme is EUR 15,294,118.

The Call for proposals under Programme Output 2, is directed to projects that develop and implement initiatives for the reduction of the amount of waste in the marine environment from land-based sources, including training and awareness-raising on marine pollution. As a result of the initial assessment of the state of the marine environment on the territory of the Bulgarian Black Sea aquatory, the following marine litter was identified: polyethylene bags, household plastics, industrial metal waste, abandoned gillnets, metal waste from ships and tires (rubber waste). In the Marine Strategy for the Protection of the Environment in the Marine Waters of the Republic of Bulgaria, due to a lack of data, knowledge and specialized research, no definition of the good condition of the marine environment for a descriptor of 10 marine litter is given. It is specified that marine litter is included in the scope of the Strategic Action Plan for Rehabilitation and Conservation of the Black Sea. Determined as the criteria and indicators for the assessment and achievement of good condition of the marine environment, in accordance with Decision 2010/477/EU.



*Програмен оператор: Министерство на околната среда и водите*  
*Programme operator: Ministry of Environment and Water*

The project on the present Call is to supplement the planned measures in the Marine strategy for marine environment protection of the Republic of Bulgaria.

**1. *Deadline for project proposals submission and working language:***

To be eligible, Application Forms must be submitted no later than 29.05.2020 at 5 p.m. through the EUMIS 2020 system.

The working language of the Programme is English. The Application Form and the project budget are to be submitted in Bulgarian and in English, together with a declaration by the applicant's representative that the information in both languages is identical. In case of discrepancies between the forms in Bulgarian and English the one in English shall prevail.

**2. *Name of the Programme***

"Environment Protection and Climate change"

**3. *Name of the programme area***

"Programme area 11 – Environment Protection and Ecosystems"

**4. *Name of the procedure***

"Marine waters"

3.1 "Small Grant Scheme for Measures for Reduction of Marine litter"

**5. *Territory of implementation of the project***

Activities should be carried out on the territory of the Republic of Bulgaria and the Donor States (Iceland, the Principality of Liechtenstein, and the Kingdom of Norway)

**6. *Purpose of the call and stakeholders***

The purpose is to finance projects implementing initiatives for the reduction of the amount of marine litter, including training and awareness-raising regarding marine pollution.

The Call is targeted towards the municipalities, located in the Black Sea region of the Republic of Bulgaria. The results from the projects are targeted at the general public.

**7. *Demarcation with similar projects/Programmes***

Project proposals activities should contribute to the implementation of the Marine Strategy Framework Directive.





## 8. Expected results

The following indicators are envisaged under this Call:

Program me Objective	Expected programme results	Indicator	Unit of Measure ment	Source of verifica tion	Freque ncy of reporti ng	Base line value	Target value
<b><i>Assessment, monitoring and management system of marine waters developed</i></b>							
	<i>Systems developed for protection of marine environment</i>	Number of implemented initiatives for reduction of pollution from land based sources on marine environment	Number	Project promot ers records	Semi annuall y	0	1
<i>Education and awareness-raising campaigns conducted</i>		Number of Awareness raising campaigns carried out	Number	Project promot ers records , Audio/v ideo/pr int matheri als produc ed	Semi annuall y	0	3
		Number of education campaigns developed	Number	Project promot ers records , Audio/v	Semi annuall y	0	5



<b>Bilateral outcome</b>	<b><i>Enhanced collaboration between Beneficiary and Donor State entities involved in the programme</i></b>			ideo/pr int materi als produc ed			
		Number of Professional staff trained (disaggregated by Gender)	Number	Project promoters records , Attendance sheets	Semi annually	0	100
		Level of satisfaction with the partnership (disaggregated by Beneficiary State, Donor State)	Scale 1-7	Survey results	Annually (in the APR)	TBD	4,5
		Level of trust between cooperating entities in Beneficiary States and Donor States (disaggregated by Beneficiary State, Donor State)	Scale 1-7	Survey results	Annually (in the APR)	N/A	4,5
		Share of cooperating organisations that apply	Percentage	Survey results	Annually (in the APR)	0	50%



		the knowledge acquired from bilateral partnership					
		Number of projects involving cooperation with a donor project partner (if applicable)	Number	Copy of contracts, concluded with Project Promoters, Partnership Agreement between Project Promoter and project partners	Semiannually	0	10

\* The value is at least 4.5 on a scale of 1 to 7 and an increase in the base value. The scale is determined in the Guideline of the key indicators.

The projects must contribute to the programme outcome: "Improved environmental status in ecosystems and reduced adverse of pollution and other human activities. All projects must contribute to programme output, "Marine Environmental Management Systems and educational and awareness campaigns conducted".

### 9. Eligible Applicants

Under this Call, eligible applicants are municipalities from the territory of the Black Sea Region of the Republic of Bulgaria.

Applicants may apply individually or in partnership. The application is made by submitting an Application form (by the applicant) on behalf of all partners.



Програмен оператор: Министерство на околната среда и водите  
Programme operator: Ministry of Environment and Water

One Applicant may be a Project Promoter within only one project and/ or partner in no more 2 projects under this Call.

Ineligible (even if meeting the above criteria) shall be any Applicant who:

1. Was convicted by an enforced judgement (unless rehabilitated) for:

- (a) a crime against the financial, tax or insurance system, including money laundering, under Art. 253 - Art. 260 of the Bulgarian Penal Code or a similar foreign legislation;
- (b) a bribery under Art. 301 - Art. 307 of the Bulgarian Penal Code or a similar foreign legislation;
- (c) participation in an organized criminal group under Art. 321 and Art. 321a of the Bulgarian Penal Code or a similar foreign legislation;
- (d) An offence against property under Art. 194 – Art. 217 of the Bulgarian Penal Code or a similar foreign legislation;
- (e) An offense against the economy under Art. 219 – Art. 252 of the Bulgarian Penal Code or a similar foreign legislation;
- (f) a crime under Art. 108a of the Bulgarian Penal Code or a similar foreign legislation;

2. He has declared bankruptcy;

3. Is in liquidation proceedings or in any analogous situation arising from a similar procedure under national laws and regulations.

4. Has exceeded the de minimis threshold for minimum state aid, granted by his/her State under the relevant legislation of that State.

Other irregularities or obstructions may also lead to the rejection of an Applicant. These include *inter alia*:

4.1. obligations to the state or to a municipality within the meaning of item 1 of Art. 162 (2) of the Bulgarian Tax Insurance Procedure Code or any sum to be recovered from another project due to an irregularity.

4.2. Any other proven breach of good governance, as defined in EU Financial Regulation (EU, Euratom) 2018/1046 and/or applicable law in the Applicant's Country

**Important! Each applicant may submit only one project proposal under this Call. In case an applicant has submitted more than one project proposal, only the first project proposal submitted will be admitted for evaluation.**

**If the applicant has submitted more than one version of a project proposal, the latest version submitted within the deadline for receiving the project proposals will be evaluated and the previous ones will be considered as withdrawn.**



**If a participant is a partner in more than 2 (two) projects, only the first two of his project proposals submitted by the deadline for receiving the project proposals will be eligible for evaluation.**

### ***10. Eligible partners***

The eligible partners under the Call are those in accordance with Art. 7.2.2 of the EEA Regulation and the Implementation Agreement for the Environment and Climate Change Programme.

Eligible partners are any public or private entities, commercial or non-commercial, as well as non-governmental organisations established as a legal person either in the Donor States, Beneficiary States or a country outside the European Economic Area that has a common border with Bulgaria, or any international organisation or body or agency thereof, actively involved in, and effectively contributing to, the implementation of a project, are considered eligible project partners.

Eligible partnerships include any combination of eligible partners meeting the above-requirements.

The Application form must contain a detailed description of the project and budget, as well as the role of the partners and the budget for the implementation of the partners' activities. The requirements for the partners and their responsibilities in the implementation of the Project activities are regulated at the Application stage by Letter of intent or Partnership agreement and at the contracting stage through a Partnership Agreement between the Project Promoter and the Partners. The Agreement should comply with Art. 7.7 of the EEA Regulation. The Partnership Agreement (as per template) shall be concluded in English with a translation into Bulgarian if one of the partners is from a Donor State and must be provided to the Programme Operator before signing the project contract. The Programme Operator confirms that the Partner Agreement complies with the above mentioned Article of the Regulation.

Candidates must comply with the provisions of the EEA Regulation on Conflict of Interest (Article 7.5).

There is no limit to the maximum number of partners, but this number must match the project objectives, planned outcomes, activities, and budget. Partners should not be added mechanically to the partnership in violation of the principles of joint implementation and co-financing without providing real added value to the project.

Regarding the eligibility of costs incurred by a project partner, the same limitations apply as these, applied to the costs incurred by the Project Promoter of the project. The emergence and development of relationships between the Project Promoter and the Project Partner must be consistent with the requirements of the applicable national and European Union public procurement legislation, as well as with Art. 8.2 of the Regulation on the Implementation of EEA FM 2014-2021.



During the preparation of the project, applicants may take advantage of the opportunities are offered by the Open Call to the Bilateral Relations Fund.

### **11. Eligible activities**

The following activities shall be considered eligible under this Call:

- Project management activities. These include activities related to project planning and coordination of daily activities between partners, reporting, financial management, interaction with monitoring and control bodies and similar non-technical activities necessary for the successful implementation of the project;
- Ensuring publicity under the Communication and Design Guide of the EEA Financial Mechanism for 2014-2020. All information and publicity material, related to the Financial Mechanism, should be in line with the Programme's information and publicity requirements, available at [www.eeagrants.bg](http://www.eeagrants.bg);
- Specific technical activities, related to this Call, namely for the purpose of addressing issues, identified in Output 2: Marine Water Assessment, Monitoring, and Management System, the following activities can be funded:
  - Implementation of initiatives for the reduction of marine pollution by man-made waste materials (metal, plastic, wood, glass, ceramics, rubber, paper, etc.);
  - Carrying out awareness raising campaigns on initiatives taken to reduce marine water pollution;
  - Development of educational campaigns on the sources of marine water pollution and initiatives to reduce them.

### **12. Total Procedure Budget**

Total procedure budget is **EUR 350,000**.

### **13. Minimum and maximum amount grant amount**

The minimum amount of funding is EUR 50,000 and the maximum is EUR 150,000.

### **14. Duration of the project**

The duration of the project is from 12 months to 24 months.

The project activities must be completed by 30 April 2024 at least which is the final eligibility date for implementation of projects under "Environment Protection and Climate Change" programme eligibility period under the EEA Financial mechanism 2014-2021.

### **15. Grant intensity and cash flows**

Grants from the Programme may be up to 100% of the total eligible costs for public organizations. If the project promoter is an NGO or other form of private organization, the



grant intensity of the Programme of the respective partner may be up to 90% of the total eligible project costs. This rule applies to all project payments.

The payments to Project Promoters shall be made in the form of: advanced payment, interim payments and final payment. Interim and final payments are made on the basis of approved interim reports and a final report.

- Advance payment shall be made within one month after submission of the request and after signing the contract. In order to receive an advance payment, the Project Promoters should provide a bank guarantee for advance payment collateral. In the case that an advance is used by a public organization (established by law and/or other normative act), budget credits suspender (first, secondary and third-level) and there is an objective impossibility of presenting a bank guarantee securing the advance payment, submission of a promissory note or a declaration, signed by the head of the first-level budgetary structure that guarantees the received advance payment shall be admissible. Bank guarantees or promissory notes shall cover the duration of the Grant contracts plus 6 months.
- Interim payments shall be made within one month after approval by the Programme Operator of the Payment Requests (as per template), submitted by the Project Promoter, and an interim report.
- The final payment shall be effected within one month after approval of the final report and calculating the final balance of the project, if any is due.

The distribution of payments for Project Promoter is made according to the following scheme:

Project duration	First Advanced payment	Interim advanced payments	Final balance payment
Less than 12 months	Up to 35%	Up to 95% cumulative with advanced payment	Final payment
More than 12 months	Up to 45%	Up to 95% cumulative with first advanced payment	Final payment

The total amount of the advance and the interim payments may not exceed 95% (for budgetary organizations) of the grant amount.

All conditions, under which project payments are made, are described in the General Terms and Conditions of the Contract in the "Granting Of Financial Assistance" section. In



accordance with Art. 7.7 of the Regulation Payments between the Project Promoter and the project partners will be specified in the Partnership Agreement.

Public procurement and concluded contracts, carried out by the Project Promoters/partners, is subject to ex-post control. In the event of established discrepancies/breaches of the applicable legislation, the Programme Operator shall impose financial corrections in compliance with the specificities of the Regulation on the Implementation of the European Economic Area Financial Mechanism, of the financial corrections methodology and the Guidelines for determining financial corrections to be made by the European Commission to expenditure, financed by the EU under shared management, for non-compliance with the rules on public procurement, approved by Commission Decision C (2019) 3452 of 14.05.2019.

## **16. Eligible costs**

### **Basic principles of eligibility of expenditures**

Pursuant to Art. 8.2 of the Regulation, eligible project costs are those actually incurred by the Project Promoter and meet the following criteria:

- They are incurred between the first and final eligibility dates for a project as specified in the Project contract;
- The final eligibility date for expenditure under the Environment and Climate Change Program is April 30 2024.
- They are connected with the subject of the Project contract and are indicated in the estimated total project budget;
- Expenditures are proportionate and necessary for project implementation;
- Expenditures must be used for the sole purpose of achieving the objective(s) of the project and its expected outcome(s), in a manner consistent with the principles of economy, efficiency and effectiveness pursuant to the paragraph (d) art. 8.2.2;
- Expenditures are reliably valued and verifiable by available primary accounting documents, are being recorded by the Project Promoter and/or the Project Partner, and are consistent with the applicable accounting legislation in the country where the Project Promoter and/or partner is established;
- Expenditures comply with the applicable tax, social security, and employment legislation.

Expenditures incurred by the Project Promoter shall be deemed to be the costs which are supported by an invoice, a payment order and a document, certifying the actual performance of a supply, service or construction-assembly activity. Exceptionally, expenditures, invoiced in the final month of eligibility, shall also be considered to be incurred within the eligibility period if paid within 30 days of the final eligibility date of project costs. Indirect costs and depreciation costs are considered to have been incurred at





the time of their recording on the accounts by the Project Promoter and/or the Project Partner.

Where new or second-hand equipment is purchased (Article 8.3, letter "c" in the Latin alphabet, from the Regulation), necessary for the implementation of the project, the depreciation costs, accrued for the project duration period, are considered eligible, being reported periodically to PO. Exceptionally, the PO may recognize the full cost for equipment expenditure if it is an indispensable and necessary condition for achieving the project results, which shall be explicitly stated in the contract with the Project Promoter.

Regarding the projects, implemented by Project Promoters-budget organizations, the depreciation charge is regulated through an Instruction by the Minister of Finance VAT 5/30.09.2016, which defines the conceptual model for the application of the national Accounting Standard (AS 4 Depreciation Accounting).

The Project Promoter's accounting principles and procedures shall be organized in such a way as to allow analytical accounting of the financing received and the project costs and easy access to the primary accounting documents.

Costs incurred by project partners from Donor States shall be set in the project contract and partnership agreement where relevant. Proof expenditure to be submitted may take the form of receipted invoices, accounting documents, equivalent probative value or to be verified on the basis of a report by an independent and certified auditor certifying that the reported costs have been incurred in accordance with the Regulation, the national legislation and applicable accounting practices of the country in which the project partner is registered, or on the basis of a report from a qualified and independent employee entitled to exercise budgetary and financial control over the organization that is not part of the team preparing the financial statements, certifying that these costs are incurred in accordance with the Regulation, the national legislation and applicable accounting practices of the country or on the basis of the submitted supporting documents.

### **Eligible Direct costs**

According to Art. 8.3.1 of the Regulation, the eligible direct costs of a project are those costs incurred by the Project Promoter and / or the project partner, accounted in accordance with the usual accounting principles and internal rules of the organization as costs directly related to the implementation of the project, and which can therefore be booked to it directly. In particular, the following direct costs are considered eligible, provided they satisfy the general principles of eligibility of expenditures under Art. 8.2 of the Regulation, namely:

- Management costs - the costs of Action 1 of the Application form will be considered eligible if they are directly related to project management and do not exceed 10% of the eligible direct costs of the project. The organization and management activities of the project include organizing and ensuring the work of



the project management team (remuneration, insurance and mission expenses), providing the necessary consumables, materials and equipment for project administration.

Each Project Promoter is directly responsible for the project management and for ensuring the quality performance of the planned activities. It should provide for sufficient interaction mechanisms for internal assessment and control as well as for progress monitoring and take corrective action if necessary, which should be made visible from the qualifications and responsibilities foreseen for each member of the team.

Each Applicant needs to present the organisational structure with sound project control and management mechanisms, given that in their project proposal:

- - has described the way of accepting the work and the control mechanisms in the implementation of the public procurement contracts under the project, including the control that will be exercised on the manner of payment under these contracts;
- - has provided control mechanisms in monitoring the implementation of the project;
- - has described both the responsibilities of each of the members of the management team and their relation to ensure that the project objectives are achieved.

The members of the management team should cover functions such as preparation of the documents, required for payment and accounting, monitoring and reporting, implementation of information and communication measures, storage of project documents, as well as coordination of project activities . The members of the management team can combine different functions, except those in which one of the combined positions has control functions over the other. The envisaged organizational structure should demonstrate a division of functions within the team and it is not permissible to mix and overlap the functions and tasks between the individual members of the management team and the outsourcers of the project.

In view of the above, the Head of the Project Promoter cannot participate in the management of the project.

- Pursuant to Art. 8.3.1, sub-item (a) of the Regulation, expenditures for staff assigned to the project comprising actual salaries and corresponding social security charges at the expense of the employer, as well as other statutory costs, part of the remuneration, in line with the project budget and the Project Promoter 's usual policy and project partners for remunerations. The corresponding salary costs for staff in the administration are eligible to the extent that they relate to the performance of activities that the relevant



institution would not carry out if the project concerned had not been undertaken;

**Important! The reporting on the time worked out shall be performed on an hourly basis by submitting timesheets approved by the head of the Project promoter.**

- According to Art. 8.2.2, (d) Costs should be used solely for the purpose of achieving the objective (s) of the project and its expected result (s) in a manner consistent with the principles of economy, efficiency and effectiveness. In this regard, the hourly rate of remuneration of the project management employee (s) shall not exceed the amount of the hourly remuneration received by the person for the performance of activities in his or her principal employment or employment relationship.
- Travel and subsistence allowances for staff involved in the project. For the costs incurred by the Project Promoter and/or partners registered in the territory of the country, the donor and Project Promoter countries, the national legislation shall apply, namely:
  - Expenditures for accommodation according to the Ordinance on business trips and specializations abroad, in the Republic of Bulgaria;
  - Expenditures on return flight tickets (from Bulgaria to the donor countries and from the donor countries to Bulgaria). Individuals are entitled to economy class tickets. Evidence of the cost incurred may be scanned copies of boarding cards, electronic tickets and a bank statement for the payment made or another document of equivalent verification value;
  - Expenditures on inland transport in Bulgaria between cities (allowed economy class in train and bus transport). No refunds shall be made for taxi transportation or car rental;
  - Internal transport costs in Donor countries, between cities. No refunds shall be made for taxi transportation or car rental;
  - Expenditures on international public transport. No refunds shall be made for taxi transportation or rental of a car;
  - Medical insurance.
- Equipment costs - new or second-hand. Exceptionally from the rule contained in paragraph 4 of Article 8.2 from the Regulation, the PO may recognize the full cost of equipment expenditure with sound justification and if it is an indispensable and necessary condition for achieving the project results;
- Costs for materials and consumables, provided they are identifiable, relevant, necessary and assigned for the implementation of the project;



- Expenditures on subcontracting related to project activities awarded in accordance with applicable public procurement legislation and the Regulation;
- Project audit costs:
  - The project activities should be audited, including the audit of the project partners
  - The audit of the project activities shall be ongoing and final. The ongoing audit of the project shall cover the interim reporting of the project activities and shall accompany the interim report on the project;
  - The final audit will include a check of the activities and costs for the entire project period from the signing of the Project contract to the date of completion of the project costs;
- Contingency pursuant to Art. 7.6.3 (k) up to 5% from the direct eligible cost.
- Costs arising directly from requirements imposed by the project contract for each project. pursuant to Art. 8.3.1 of the Regulation

In the event that the PO has taken a decision to recognize the full value of the equipment/asset purchased, the PO imposes specific requirements on the Project Promoters as follows:

- The Project Promoter to keep the ownership and the purpose of the acquired equipment/asset for a period of at least 5 years after approval of the final project report and within that period it should be used for the purposes of the project;
- The Project Promoter undertakes to insure the acquired equipment/asset against the usual insurance risks (such as theft, fire, etc.) both during the implementation of the project and for a period of at least 5 years after approval of the final project report (Art. 8.3.2, letter “b” of the Regulation);
- The Project Promoters shall undertake to provide sufficient resources to support the acquired equipment/asset for a period of at least 5 years after approval of the final project report.

Non-refundable value added tax (VAT) is an eligible cost under this Call (under the VAT and VAT Implementation Rules).

#### **IMPORTANT!**

**In cases where contracts concluded as part of the implementation of projects are below national and EU thresholds set for public procurement or outside the scope of applicable procurement laws, the award of such contracts (including pre-award procedures) and the conditions such contracts should, in accordance with the principle of proportionality, be in accordance with best economic practice, including accountability, to allow for overall and fair competition between potential providers (external services and civil contracts) -**



**for example, through effective price comparison - and to ensure optimal use of EEA FM 2014-2021 resources.**

### **Eligible Indirect Costs**

Pursuant to Art. 8.5 of the Regulation eligible indirect costs are costs that cannot be identified by the Project Promoter and/or the project partner as directly related to the project but can be identified and justified through its accounting system as being directly related to the eligible direct costs of project. They cannot include eligible direct costs. The amount of indirect costs of the project shall be defined as a fair share of the total overheads of the Project Promoter or partner. Indirect costs can be calculated on the basis of one of the following methods:

- On the basis of the actual indirect costs of these Project Promoters and partners who have analytical accounting, which allows concrete identification of indirect costs;
- A flat rate of up to 25% of the total eligible direct costs excluding direct eligible subcontracting costs and the cost of resources made available by third parties that are not used on the sites of the Project Promoter or partner. In applying this method, the calculation of the rate shall be made on the basis of a fair and verifiable methodology or a method that is customary in the case of state funding of schemes for similar projects and Project Promoters;
- A flat rate of up to 15% of the eligible direct personnel costs without requiring the PO to prepare a method for determining the applicable rate;
- A flat rate applied to direct eligible costs based on existing methods and corresponding rates applicable in European Union policies for similar types of projects and Project Promoters;
- In case the Project Promoter or the project partner is an international organization or agency, indirect costs may be determined in accordance with the rules on indirect costs applied in these organizations in accordance with specific provisions of the Programme Agreement, including Annexes I and II.

The method of calculation of indirect costs and their maximum value shall be described in the budget of the project financing contract. The method for calculating indirect costs of the project partner shall be specified in the partnership agreement.

### **Financial justification for all costs included in the budget of the project proposal**

In order to determine the feasibility of all projected costs, the applicant should attach to the application form in the EUMIS 2020 a justification in free text description on the valuation of all activities included in the project proposal. For organization and



management activities, depreciation, information and communication costs, a valuation justifications should be presented.

The analysis shall indicate on the basis of what documents, other analyzes or studies the activities have been evaluated. Information on technical and / or functional characteristics of data / indicators / offers / extract from a catalog of manufacturers / suppliers, information on contracts already concluded and executed with similar parameters and subject matter shall be given, as a result of which the value of the budget expenditure is indicated. At the discretion of the Project Promoter, it is permissible to submit market consultations within the meaning of the Public Procurement Law, market surveys and / or internet surveys have been used in the valuation, etc.

Where references to tenders (which must be from organizations with an activity similar to the subject of the tender) the offered being referred to shall be attached (minimum two), when referring to an excerpt from a catalog of manufacturers / suppliers the excerpts from the catalog are applied or indicated relevant product links. Where possible, a detailed breakdown of the valuation by quantities and unit prices shall be provided, as well as a justification for the unit prices and their compliance with market prices at the date of submission of the project proposal. This detailed breakdown should be consistent with the total value of the costs generated by the activities in the project budget, following the activities in the project budget, following the sequence set out in item 7 "Implementation plan / project activities". from the application form. The justification should include the selection of tenders (at least two) from subcontractors with activities similar to the subject of the tender; extracts from PPAs for executed contracts; other documents that clearly indicate how to determine the value of the activities.

### **17. Ineligible costs**

According to Art. 8.7 of the Regulation, ineligible project costs are:

- interest on debts, debt service charges, and penalties for late payments;
- Charges for financial transactions and other purely financial costs;
- provisions for losses or possible future liabilities;
- losses from currency exchange;
- refundable VAT;
- costs covered by other sources;
- fines, penalties, and litigation costs, except where litigation is necessary and is an integral part of the achievement of the project's objectives;
- excessive or reckless costs;

#### **Ineligible costs**



*Програмен оператор: Министерство на околната среда и водите*  
*Programme operator: Ministry of Environment and Water*

- Standard scales of unit costs - Art. 8.4 of the Regulation;
- Expenditure for scholarships and mobility programmes - Art. 8.9 of the Regulation.

### **18. Public procurement**

Procurement under the projects to be financed by EPCCP funds, shall be carried out in accordance with open, transparent, sufficiently publicized and non-discriminatory public procurement procedures under PPA and Council of Ministers Decree 118/2014, The Programme Operator of EPCCP shall carry out ex-post control on compliance with procurement legislation by the Project Promoters, including compliance with the principles of Art. 2 of the PPA on equality and non-discrimination, free and fair competition, publicity and transparency

- In the cases when the Project Promoters/partners fall within the scope of the addressees under Art. 5 of the Public Procurement Act, the designation of a contractor shall be carried out in accordance with the PPA and the rules for the application of the Rules for the implementation of the Public Procurement Act. For non Bulgarian partners procurement shall be carried out in accordance with applicable national public procurement rules.
- When the Project Promoters and/or partners under the grant contracts do not appear as contracting entities under Art. 5 of PPA, Council of Ministers Decree No. 118/2014 shall apply.

Obligations of the PO at the planning stage of subcontracting by the Project Promoter under PPA and CM Decree 118/2014 relate to **control of subcontracting plans. Subcontracting plans shall be completed in a structured form according to the EUMIS 2020 Ordinance.**

### **19. State aid and de minimis**

The definition of "state aid" is contained in Article 107 paragraph 1 of the Treaty on the Functioning of the European Union (TFEU). State aid is any aid granted by a Member state in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods in so far as it affects trade between Member States of the European Union. As a rule, state aid is prohibited whereas exceptions to this prohibition are regulated. Granting of grants shall be done in accordance with European and national state aid legislation. Under the state aid rules, if funding is defined as illegal and incompatible state aid, it shall be reimbursed by the Project Promoter together with interest for the period of unlawful use. One of the conditions to be met for the application of the state aid rules to the allocation of state funding is that the state aid Project Promoter is "undertaking" governed by the competition law. "Undertaking" within the definition of Art. 107 of the TFEU is any entity engaged in an economic activity, regardless of its legal status and the way it is financed. According to the case-law of the





Court of Justice, “undertakings” within the meaning of competition law are all entities engaged in an economic activity, including public authorities, where their activities involve the supply of goods/services on the market. For the assessment of whether a person operates as an “undertaking” the legal status under national law and the way in which it is financed are irrelevant. Where the activity is related to the exercise of public powers, it is not of an economic nature and, therefore, the rules on state aid are not applicable to it. The Constitution of the Republic of Bulgaria raises human life as a core value (Article 4, paragraph 2) and imposes the obligation of the state to ensure the preservation of the environment.. According to the Marine Strategy Framework Directive (MSFD) 2008/56 EU (Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a Framework for Community Action in the field of Marine Environmental Policy, MSFD is maintaining or achieving a Good Status of the Marine Environment (GSME). With regard to Art. 3 para. 3, items 1 and 7 of the Ordinance on the Protection of the Marine Environment, the Ministry of Environment and Water implements the state policy for achievement and maintenance of the good status of marine environment and establishes methodological guides and guidelines for determining the good status under Art. 9, Determination of the Environmental Objectives and their indicators under Art. 10, as well as other documents of scientific-applied character related to the development and implementation of the Marine Strategy and the Programme of Measures.

Eligible applicants under the procedure are described in item 9 of this Call.

The aim of the Call is to fund projects implementing litter reduction initiatives in the marine environment, including training on marine pollution. Procurement under the projects to be financed by EPCCP 2014-2021 grants, shall be carried out in accordance with open, transparent, sufficiently publicized, and non-discriminatory public procurements procedures under the Public Procurement Act and the Decree of the Council of Ministers 118/2014. The Programme Operator of the EPCCP 2014-2021 shall carry out ex-post control over the compliance with the legislation in the field of public procurement by the Project Promoters of the Programme, including observing the principles under Art. 2 of the PPA on equality and non-discrimination, free and fair competition, publicity and transparency. In this sense, support at the level of contractors shall not be considered as state aid.

For the application of the provisions of Art. 13, para. 1, item 1 of the PPA, the Applicant shall describe the relevant activities. On this basis, the activities may be carried out not by a contractor designated by the PPA, but by an international financial institution, organized under specific procedural rules under international agreements or contracts concluded in compliance with the provisions of the Treaty on the Functioning of the EU. The conditions for excluding state aid are laid down in the Commission note on state aid, referred to in Article 107 (1) of the Treaty on the Functioning of the European Union (TFEU). State aid shall be considered at all possible levels. State aid shall be considered at all possible levels. Memoranda of Understanding between the Government of the Republic of Bulgaria and





the International Financial Institutions on partnership and support for the absorption of the European Structural and Investment Funds for the period 2014-2020, which ensure compliance with the applicable state aid legislation, are signed at the level of an international financial institutions. International financial institutions provide consultancy services to Project Promoters through the conclusion of agreements for the provision of such services in compliance with the provisions of TFEU. In this case, support shall not be considered as a state aid.

From the point of view of state aid rules, different assumptions are possible at the level of final Project Promoters:

- De minimis aid regime, as required by Regulation (EU) No 1407/2013, with respect to eligible economic activities under the Calls;
- Non state aid regime - assistance outside the scope of Art. 107, para. 1 of the TFEU (non-State aid and not a minimum aid)

The call does not require any preferential use of local goods at the expense of imported goods.

#### ***De minimis aid regime***

Where funds are provided to Project Promoters pursuing an economic (commercial) activity, the support to these persons will constitute de minimis aid within the meaning of Regulation (EU) No 1407/2013. In this hypothesis, the Program Operator will be the aid administrator and the de minimis Project Promoters involved in the commercial activity will be the Project Promoters of the de minimis aid.

The financing of non-economic activities which do not generate revenue and do not represent the provision of goods and / or services on the relevant market does not constitute State aid within the meaning of Art. 107 (1) TFEU. These are the activities related to the implementation of public policies by municipalities;

In cases where the "de minimis" regime applies, Project Promoters shall take into account the fact that Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ, L 352/1 of 24.12.2013.) (Regulation (EU) No. 1407/2013) does not apply to aid granted to undertakings engaged in:

1. In the fisheries and aquaculture sector covered by Council Regulation (EC) No. 104/2000;
2. In the primary production of agricultural products;
3. In the sector of processing and marketing of agricultural products, in the following cases:
  - where the amount of the aid is fixed on the basis of the price or quantities of that type of product purchased from the primary producers or marketed by the undertakings concerned; or



- where the aid is conditional on the obligation to be transferred, in part or in whole, to primary producers;

4. Related to exports to third countries or Member States, in particular aid directly related to exported quantities, to the establishment and operation of a distribution network or other current costs related to export;

5. Subordinated to the use of national products at the expense of imported products.

The Call does not require preferential use of local goods at the expense of imported goods.

De minimis aid shall not exceed the BGN equivalent of EUR 200,000 (BGN 391,166) over a period of 3 (three) consecutive budget years.

If an undertaking carries out road freight operations for another's expense or for remuneration, and also carries out other activities subject to the ceiling of EUR 200 000, the ceiling of EUR 200 000 shall apply to the undertaking, provided that the Member State concerned ensures by appropriate funds, such as separation of activities or distinction of costs, that aid for road freight operations does not exceed EUR 100 000 and that de minimis aid is not used for the acquisition road freight transport vehicles.

Before the aid is granted, the PO shall carry out a verification of the aid ceiling. Thus the defined aid ceiling shall apply to "single undertaking" within the meaning of Art. 2 (2) of Regulation (EU) No. 1407/2013 and in this section. In determining the above ceiling, the provisions of Art. 3 (8) and (9) of Regulation (EU) No. 1407/2013 and the guidelines in this section, namely:

- in a "de minimis aid" regime, the total amount of all aid to the owner of the undertaking performing economic activities (within the meaning of the State Aid Act) and to all entities with which it forms a single undertaking, including the maximum amount of the funds provided them under the EPCCP 2014-2021, may not exceed EUR 200,000 over a three-year period.
- Where, with the provision of new de minimis aid, the relevant ceiling laid down in Article 3 (2) may be exceeded, no part of that new aid may fall within the scope of Regulation (EU) No 1407/2013.

In implementing their projects, Project Promoters shall take into account that under the "de minimis aid" scheme all values used are gross, i.e. before deducting taxes and other charges. De minimis aid payable in several instalments should be discounted to its value at the moment it is granted. Eligible costs are discounted to their value at the time the aid is granted. The interest rate to be used for discounting is the discount rate applicable at the time the aid is granted, in accordance with Art. 3, para. 6 of Commission Regulation (EU) No. 1407/2013 of 18 December 2013 Pursuant to Art. (3) of Regulation (EU) No. 1407/2013, de minimis aid shall be deemed granted at the moment when the statutory right to receive the aid was granted to the undertaking under the applicable national legal regime, irrespective of the date of payment of the de minimis aid to the undertaking. In order to calculate whether the threshold of EUR 200 000 for the undertaking concerned has been



exceeded, a sum of (1) the maximum amount of the EPCCP 2014-2021 granted to the undertaking (performing an economic activity) and (2) all other de minimis aid amounts received by it and the undertakings with which it forms the "a single undertaking" within the meaning of Art. 2 (2) of Regulation (EU) No. 1407/2013 on the territory of the Republic of Bulgaria for the last three budget years. In the case of a business transformation (acquisition, merger and/or split), the amount of the funds that can be provided in the form of minimum aid to the undertaking (performing an economic activity) shall be determined in compliance with Art. 3 (8) and (9) of Regulation (EU) No. 1407/2013. Pursuant to Art. 3 (8) of Regulation (EU) No. 1407/2013, in the case of mergers or acquisitions, any prior de minimis aid granted to any of the merging companies shall be taken into account in determining whether a new de minimis aid, granted to the new undertaking or to the acquiring undertaking shall not lead to an overrun of the relevant ceiling. De minimis aid legally granted before the merger or acquisition shall remain lawful. Pursuant to Art. 3 (9) of Regulation (EU) No. 1407/2013 if one undertaking splits into two or more separate undertakings, the de minimis aid granted prior to the split shall be allocated to the undertaking which has benefited from it, which is in principle the undertaking taking over the activities for which de minimis aid was used. If such an allocation is not possible, de minimis aid shall be allocated proportionally on the basis of the book value of the equity capital of the new undertaking to the effective date of the split. In the event that the undertaking (performing an economic activity) and/or the subjects with which it forms "a single undertaking" within the meaning of Art. 2 (2) of Regulation (EU) No. 1407/2013 had received other de minimis aid, new de minimis aid under the EPCCP may be claimed only for the rest of the amount up to the ceiling referred to in Art. 3 (2), namely EUR 200 000, set for a period of three budget years. This ceiling shall apply regardless of the form of the de minimis aid or the objective pursued and whether or not the aid granted was financed in whole or partially by Union originating funds.

At the Application stage, the Programme Operator shall require the undertakings (performing economic activity) to submit declarations containing information on receiving other de minimis subject to Regulation (EU) No. 1407/2013 or other De minimis Aid Regulations during the two preceding budget years and during the current budget year, as well as the receipt of other state aid (de minimis and state aid statements). The template for a statement of Minimum and State Aid granted, to be provided by the Programme Operator to the applicants operating an economic activity is available on the website of the Ministry of Finance in its section on State Aid (<http://stateaid.minfin.bg/bg/page/7>). The declaration shall also include information about all undertakings with which the undertaking (performing economic activity) maintains relationships within the meaning of Art. 2 (2) and Art. 3 (8) and (9) of Regulation (EU) No. 1407/2013.

The Programme Operator shall, if necessary, contact other aid administrators listed in the statement of Minimum and State Aid, in order to gather the necessary information to ensure that it complies with the provisions of Art. 5 (2) of Regulation (EU) No. 1407/2013, namely that the granting of the new minimum aid under the procedure will not exceed the



highest applicable aid intensity or aid amount determined in the specific circumstances of each case with a block exemption regulation or an EC decision.

Pursuant to Art. 5 (1) of Regulation (EU) No. 1407/2013, the de minimis aid of up to EUR 200 000 may be cumulated with the de minimis aid under Commission Regulation (EU) No. 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union on de minimis aid to undertakings providing services of general economic interest to the ceiling (EUR 500 000). The minimum aid may be cumulated with the minimum aid granted under other de minimis aid regulations (such as de minimis aids in the fisheries and aquaculture sector and in the agricultural sector) up to the ceiling of EUR 200 000 laid down in Regulation (EC) No. 1407/2013.

For the purposes of control, the Programme Operator may use a combined approach to verify the accuracy of the data declared by the owners:

- by checking in the public module of the Minimum Aid Register Information System (<http://minimis.minfin.bg/Default.aspx>);
- a reference to the Commercial Register (for the companies mentioned in the declaration) regarding all the conditions of Art. 2 (2) and Art. 3 (8) and (9) of Regulation (EU) No. 1407/2013;

The Programme Operator may request at its own discretion additional documents (such as a sample of the accounting system, accounting method used, etc.) that would assist them in assessing whether the requirements of Art. 1 (2) of Regulation (EU) No 1407/2013.

Observing Art. 36, para. 1 of the State Aid Act, the PO, in its capacity as aid administrator, shall be obliged, in any act of provision of de minimis aid, to define rules for the application of the conditions for its provision and control, as well as a mechanism for establishing unlawfully received de minimis aid. The rules for implementing the conditions for provision and control of aid also contain information means of verification of the presence and fulfilment of the applicable criteria of the acts justifying the compatibility and the information sources on the basis of which the check is made. The mechanism and rules for the establishment of unlawfully received de minimis aid shall at least contain rules establishing the ground for unlawfulness, identification of the aid recipient, the monetary equivalent of unlawfully provided aid, the amount to be recovered, including the interest due and the date of the provision. As an administrator of the de minimis aid, the PO shall inform the Minister of Finance within 3 working days of the provision of any aid falling within the scope of Regulation (EC) 1407/2013 by introducing electronic records of the minimum aid granted by it in the Information System "Register of de minimis aid". The PO, in its capacity as aid administrator, shall be responsible for the completeness, correctness and timeliness of the information provided on the de minimis aid provided. The documentation on individual de minimis aid shall be kept for a period of 10 budget years from the date of its provision. The documentation on the de minimis aid schemes shall be kept for a period of 10 budget years from the date on which the last individual aid under such a scheme was provided.



**Non state aid regime** (aid outside the scope of Article 107 (1) TFEU (aid which is not State aid and is not de minimis aid)

With regard to the financing of non-economic activities - activities for the implementation of public policies of municipalities, they may be organized in a non-commercial way and therefore of a non-profit nature, respectively their public financing may not constitute state aid and therefore the regime of Regulation 1407 / 2013 will not apply to this type of activities.

Public funding of natural heritage conservation activities, accessible to the public free of charge, fulfills a purely social purpose, which is non-economic in nature. (Commission notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union.

Where a subject performs both economic and non-economic activities, the public financing of non-economic activities does not fall within the scope of Article 107 (1) TFEU, if the ratio of the two types of activities to their costs, financing and revenue can be clearly separated so as to effectively avoid cross-subsidization. Evidence of the proper allocation of costs, financing and revenue is the annual financial statements of the respective subject. This can be achieved in particular by limiting public financing to the net costs (including capital costs) of non-economic activities, which must be established on the basis of a clear separation of accounts.

If the recipient of the public funding is an undertaking and the economic and non-economic activities cannot be separated, the rules on the provision of state aid are compulsory. They are defined in a stepwise manner, as with the increase in the amount of aid, the requirements for aid provision also increase.

## ***20. Sustainability of project proposals***

Sustainability of project results is essential to ensure long-term benefits. For the Programme Operator it is important that sustainability of project results is ensured.

The application form must include information on the specific measures for utilizing the project results in the sustainability period and how the project results will subsequently be repeated by the applicant / partners or other subjects.

According to Art. 8.14 of the Regulation, the minimum project sustainability period is:

- 3 years after the approval of the final report of the project by the Programme Operator, if the project does not include the purchase of tangible and intangible assets whose purchase costs are covered within the project or construction works;

5 years from the approval of the final project report by the Programme Operator, if the project involves construction works or the purchase of tangible and intangible assets for which all purchase costs are covered within the project. The Project Promoter has the



obligation to use tangible and intangible assets and the space / building, subject to the works only for the purposes of the project. The space / building must function throughout the sustainability period.

## **21. Communication and publicity requirements**

In order to highlight the role of the FM of EEA 2014-2021 and to ensure that the assistance from this mechanism is transparent, the Project Promoters shall provide clear information on the project to the widest possible audience at the appropriate national, regional and/or local level, including relevant stakeholders. The Project Promoter shall develop and implement a Project Communication Plan.

Potential Project Promoters shall include a Communication Plan in their project proposal to raise awareness of the existence, objectives, opportunities and bilateral cooperation with donor institutions (where applicable), implementation and overall contribution of the project. The potential Project Promoter shall ensure that information and publicity measures are implemented in accordance with its Communication Plan and reach the general public, the media and stakeholders at regional and local level, including by indicating quantitative and qualitative indicators to cover representatives from the stakeholders and evidence of this.

The Programme Operator shall not coordinate information and communication measures during the implementation of the project but shall only monitor their implementation.

The Communication plan shall include at least the following:

- Targets and stakeholders, including stakeholders at national, regional and/or local level, and the general public;
- Strategy and content of information and communication measures, including activities, means of communication and time frames, considering the added value and impact of EEA FM 2014-2021;
- At least three information activities on project progress, achievements and results, such as a seminar or stakeholders conference, a press conference or a media event, including the start and/or end of the project. (For projects with a grant amount of less than EUR 500,000 two information activities are sufficient, as they may be of a smaller scale);
- Measures to provide project information on the web, either through a dedicated website, or through a dedicated web page on the existing website linking the pages. Project information shall be regularly updated in Bulgarian and in English. All projects that receive support of at least EUR 150,000 from EEA FM and/or have a donor partner for the project shall have a dedicated project website with information in English and Bulgarian;
- Information on the web shall include information on the project, its progress,





achievements and results, cooperation with legal entities in donor countries, relevant photographs, contact information and clear reference to the Programme and EEA FM 2014-2021;

- Information on those responsible for implementing the information and communication measures, including a contact person;
- An indication of how the information and communication measures will be assessed in terms of publicity and awareness of the project and of the EEA FM grants, their objectives and impact, as well as the role of donor countries;

The organizers of information events (conferences, seminars, fairs, exhibitions, etc.), as part of the project implementation, shall commit themselves to make explicit and visible the support of financial mechanisms and Donor Countries.

The Project Promoter shall inform the PO at least two weeks in advance of the scheduled public events of the project, providing the necessary information in Bulgarian and English, as well as pictures for the publication of the EEA FM and NFM [Norwegian Financial Mechanism] 2014-2021 website.

When implementing projects for which the total funding exceeds EUR 50,000 and the activity is related to a physical site, infrastructure or construction and repair activities, the Project Promoters shall place a billboard at the site of each project activity in accordance with the requirements of the design and communication of the EEA Financial Mechanism. The Project Promoter shall replace the billboard with a notice board in a prominent place of the appropriate size and in accordance with the Design and Communication Manual no later than six months after the end of the project.

All the information and information materials created by the Project Promoters shall be in line with the FM of EEA and NFM 2014-2021 Communication and Design Manual published at <https://www.eeagrants.bg/dokumenti/narchniczi> and Annex 3 to the Regulation. The Manual sets out detailed technical requirements for the use of the logo, as well as billboards, plates, posters, publications, websites and audiovisual material.

**Important!!! All promotional materials should be made of recyclable materials (paper, wood, metal, textiles, glass free of plastics).**

## ***22. Procedure for submission of project proposals***

Project proposals shall be submitted through the EUMIS 2020 Information System.

Project proposals submitted electronically through a profile created by the applicants in the EUMIS 2020 system shall be submitted in accordance with the rules in the Regulation for determining the terms, order and mechanism of functioning of the unified information system for management and monitoring of resources from the European structural and investment funds (UMIS) and for the conduct of proceedings before the managing authorities accordingly via EUMIS



The Application form and the project budget should be completed in EUMIS 2020 in Bulgarian and English as well as a declaration by the Applicant's representative that the information in both languages is identical. In case of contradiction between the two versions, the information in English shall prevail.

A project proposal received after the deadline shall be registered but shall not be evaluated by the evaluators and reviewed by the Project Selection Committee.

Representatives of applicants who have submitted their project proposals beyond the deadline shall be notified via the EUMIS 2020 Communication Module.

All submitted project proposals shall be evaluated in accordance with the criteria described in the Calls for proposals under the relevant procedure. The evaluation shall be carried out in EUMIS 2020, with project proposals submitted in due time being included in an evaluation session.

The annexes containing signature boxes shall be attached as signed copies (i.e. either printed, signed, scanned and attached, in this case the originals being presented at the conclusion of the grant contract or signed with electronic signature and attached)<sup>1</sup>.

### **23. List of documents to be submitted at the application stage**

23.1 Application form (to be completed in the EUMIS 2020 form. No separate file should be attached to the system) - The application form must be submitted in Bulgarian and English. In EUMIS 2020, applicants complete the Bulgarian language form and the English translation is presented as an attachment in Section 12 of the Application Form, signed by the person entitled to represent the applicant or by a person authorized by him;

23.2 Budget as of template.

23.3 Declaration of the Applicant / Partner for acceptance of the Terms and Conditions – as per template of Annex D1; Applicant / Partner declaration (if any) is signed individually by each person representing the Applicant / Partner. It cannot be signed by authorized / authorized persons, as it declares personal data or data about the respective legal entity, and their liability is subject to penal liability, which is also personal;

23.4 Declaration for De-minimis and State Aid for the Applicant and the Partner – as per template Annex D2.; The declaration shall be signed by at least one of the persons who represent the Applicant/Partner. When the legal entity Applicant/Partner is represented by two or more persons together, each person representing the

---

<sup>1</sup> The documents must be signed with the electronic signature of the Project Promoter / Lead Partner, who through their signature assumes responsibility for the correctness of the information or declarations contained in these documents. Signing should be done under the "Attached Signature" scheme, which creates a new file and contains two files - the original document plus the digital signature. The new file shall be attached. Documents must be signed with the electronic signature of the lead partner who, through the signature, assumes responsibility for the accuracy of the information or statements contained in these documents



Applicant/Partner signs a separate declaration. This declaration is not applicable to donor state partners

- 23.5 VAT Declaration template Annex D3
- 23.6 Declaration of irregularities - as per template, Annex D4;
- 23.7 Privacy statement - as per template, Annex D5.;
- 23.8 Declaration of use of the purchased equipment in accordance as per template, Annex D6
- 23.9 Declaration of identity of the presented information in the application form and the budget in English and Bulgarian Annex D7.;
- 23.10 Financing Declaration for organizations under the Non-Profit Legal Entities Act Annex D8.
- 23.11 Where a partner is present Letter of intent for partnership establishment Annex D9 or a draft Partnership Agreement (D13) pursuant to Art. 6.4 of the Programme Agreement.
- 23.12 Declaration for consultants involved in the preparation of the project proposal in accordance with item (k) of Art. 7.3 of the Regulation Annex D10.
- 23.13 Experts profiles Annex D11.;
- 23.14 CVs of the project implementation team proposed by the applicant - team leader, project coordinator (s), and other experts, if applicable according to template Annex D12.
- 23.15 Declaration under Act On Counteracting Corruption And On Seizure Of Illegally Acquired Property Annex D14;
- 23.16 Quality management and risk assessment plan Annex D15
- 23.17 Schedule of the activities for Public Procurement Procurement awarding under the Public Procurement Act and Decree of the Council of Ministers No 118/2014 (in the EUMIS 2020 form)
- 23.18 Verified Statement of revenue and expenditures and Balance Sheets for the applicant by the respective responsible persons - for the past three financial years ended from the date of publication of this Call - (2018, 2017, 2016)
- 23.19 Documents attesting the status of all persons entitled to represent the Applicant (whether jointly and/or separately and/or otherwise).
- 23.20 Notarized power of attorney (an order for the public organizations) for authorization of person representing the Applicant (if applicable) in connection with the submission of the project proposal and the signing of the form with QES. In cases where the applicant is represented together by several individuals, the power of attorney is signed by each of them.



23.21 Communication Plan according to the requirements of the (Regulation)

23.22 Financial justification (in narrative description)

#### **24. Supporting Documents (if applicable)**

Supporting documents to be submitted by the applicant and the partner (s):

- a) Decision of the Municipal Council of the municipality for application under the current Call.
- b) Certificate of Good Standing of the Partner (s) (if there are partners), issued no later than 3 months before the deadline for submission. Certificate(s) of Good Standing of the Partner(s) (if there are such) shall not be presented if the data in them are accessible through a public register or if the data can be ensured through a direct and free access to national data basis of the Member States. If a discrepancy is found between data in the relevant registry and data, related to good standing of the Partner (s) contained in the Application Form and its Annexes submitted by the Applicant, the Programme Operator may require the submission of Certificate (s) of good standing of the Partner (s) (if any) issued not earlier than 3 months before the deadline for application.

Note: The documents referred to in point 24 shall be submitted by the project promoter and partners established in the territory of the Republic of Bulgaria.

- Documents submitted by partners from donor countries Partner organizations from the Kingdom of Norway:
  - a) Register transcript, certifying the legal status and the main activities, executed by the organization – excerpt from the official register of Kingdom of Norway - Brønnøysundregisteret.
  - b) Certificate for present status– issued by the competent authority/institution in the Donor State
- Partner organizations from Iceland:
  - a) Certificate of Registration – issued by the Register of Enterprises - Skráasvið.
- Partner organizations from the Principality of Liechtenstein:
  - a) Registration transcript certifying the legal status and the main activities, executed by the organization – excerpt from the official register of Principality of Liechtenstein –Handelsregisterauszug
  - b) Apart from the indicated above documents, the partner organization shall present also a document from which it is visible who is the legal representative of the organization in correspondence with the national legislation.



The documents submitted by partners from donor states Partner organizations accessible through a public register or if the data can ensured though a direct and free access will be verified by Ex officio check.

**For partner organizations coming from countries different than Bulgaria and the Donor States the documents have to be aligned with the relevant requirements for the partner organizations from Bulgaria.**

**IMPORTANT! The supporting documents shall be presented in Bulgarian from the side of the applicant and in English from the side of the partner from Donor States.**

**IMPORTANT! Each attached file shall be signed with electronic signature as all files shall be published in EUMIS 2020, Section 12 “Attached Electronically Submitted Documents” from the Application Form, fields “File” and “Signature”. Applicants shall number and put the name of the applied documents in Latin alphabet so that the content is understandable (for instance „1. D1\_Declaration\_acceptance of the terms and conditions\_en”) in order to facilitate the review of the documents when evaluating project proposals.**

## **25. Questions and Answers**

The applicants may ask questions by e-mail at the following email address: [eea@moew.government.bg](mailto:eea@moew.government.bg) or via the website of the Programme. The questions and answers will be published on the Programme's website, part of the single information portal of the EEA FM for Bulgaria as well as in the EUMIS 2020. Questions may be asked no later than 21 days before the deadline for submitting project proposals. The Programme Operator shall answer the questions asked not later than 14 days before the closing date for submission of project proposals. The clarifications given on the Call shall not contain any opinion on the quality of the project proposal and shall be binding on all applicants.

## **26. Procedure and criteria for evaluation of project proposals**

The evaluation and selection of project proposals takes place in three stages:

- Administrative compliance and eligibility of Applicant/Partner (ACEA);
- Technical and Financial Evaluation (TFE);
- Selection Committee (SC).

### **1. Administrative compliance and eligibility of Applicant/Partner**

The evaluation of administrative compliance and eligibility of a project shall be carried out by two experts, independently of each other. If there is a missing document and/or discrepancy found in the examination of the project proposals, the applicant shall be notified via EUMIS 2020 of the non-conformities/shortcomings found and a reasonable period of time for their removal shall be set, which may not be shorter than five working days, shall be set and shall be the same for all applicants in the procedure. The



clarifications presented by the Applicants shall not lead to a qualitative improvement of the project proposal.

Communication with the applicants shall be done via EUMIS 2020 as a request for additional information shall be sent via the "Communication" module to the email address specified in the profile of the applicant. Based on the information received, the Selection Committee shall only edit this section of the form, where further information is necessary. The deadline for receiving further clarification from the Applicants may not be shorter than 5 working days.

The applicants may withdraw their project proposals from the assessment process by submitting a written application to the head of the Programme Operator, in such cases the examination of the withdrawn proposal shall be suspended.

When conducting the evaluation, the two experts shall independently fill out assessment sheets in EUMIS 2020 on the basis of criteria that are an integral part of this Call.

Based on the assessment of the administrative compliance and eligibility of the applicant/partner and the completed check-lists, a protocol shall be drawn up for the completed stage of administrative compliance and eligibility of the applicant/partner, together with a list of projects not admitted to the technical and financial evaluation and the reasons thereto. The list shall be published on the United Information Portal for EEA FM. The chairperson shall notify the rejected applicants by a separate notification to each of them via the Communication module in EUMIS 2020.

An applicant whose project proposal is included in the list of rejected projects may file a written objection to the head of the PO within one week of the notification. The head of the PO shall have a one week deadline to rule on the merits of the objections. If the Applicant's objection is justified, the PO may return the project proposal for examination at the stage of administrative compliance and eligibility of the applicant/partner. If the objection is rejected, the applicant may appeal the decision of the PO before the competent Bulgarian court.

## **2. Technical and Financial Evaluation**

Technical and financial Evaluation (TFE) of the project proposal is a substantive project evaluation process, which shall be carried out in accordance with the assessment criteria described in the Application Guidelines to the relevant procedure.

The evaluation criteria shall not be subject to change during the course of the procedure.

Project proposals admitted to the TFE stage shall be considered by two impartial and independent experts. At least one of them must be external to the PO and the Project Selection Committee.

The final score shall be an arithmetic average of both assessments. Upon a difference between the two estimates of more than 20 percent of the higher mark, the Chair of the Selection Committee shall assign the assessment to a third person, an independent and



impartial expert-arbitrator to assess the project. The final estimate shall be the arithmetic mean of the two closest scores.

The stage shall end with a protocol containing the list of the ranked proposals.

### **3. Project Selection Committee**

The Programme Operator shall establish a Selection Committee. The Selection Committee shall consist of a Chairman and a secretary – representatives of the Programme Operator – without voting rights, and at least three voting members, including representatives of the Programme Operator. At least one of the voting members shall be external to the Programme Operator. The FMC, the National Focal Point and the DPPs shall be invited to participate in the Selection Committee meetings as observers.

The Programme Operator shall provide the Selection Committee with a list of the ranked projects. The Selection Committee shall review the ranked list of projects. The decision of the Selection Committee shall be taken by consensus of all voting members. The Selection Committee may modify the ranking of the projects in justified cases, in accordance with objective and commonly agreed criteria related to the objectives of the programme. The justification for modifications shall be detailed in the minutes of the meeting of the Selection Committee. The minutes shall be signed by all members of the Selection Committee. The Chairman of the Selection Committee shall submit a report to the Programme Operator, including the list of the recommended projects, together with a reserve list, , list of withdrawn projects and the list of rejected project proposals and the reason for their rejection.

The Head of the Programme Operator shall verify that the selection process has been conducted in accordance with the Regulation and that the recommendations from the Selection Committee comply with the rules and objectives of the programme. Following such verification, the Programme Operator shall, based on the decision of the Selection Committee, make a decision on which projects shall be supported. The Programme Operator may return the report to the Selection Committee requesting a repetition of the selection process in case of a violation of the procedure that can be remedied or not approved when there has been a serious violation of the procedure. The Programme Operator may modify the decision of the Selection Committee in justified cases announcing in its decision the reasons for the modification.

The Head of the PO shall notify the applicants for the results of the selection process within two weeks from the date of publication of the decision and shall announce the results.. If the modification of the ranking of the projects by the Selection Committee results in a project's rejection, or if the Programme Operator modifies the decision of the Selection Committee, the Programme Operator shall inform the applicants affected and provide them with a justification for the modification.

### **Eligibility Criteria**



*Програмен оператор: Министерство на околната среда и водите*  
*Programme operator: Ministry of Environment and Water*

Administrative criteria and eligibility criteria

Criteria	Yes	No	N/A	Checks
<b>Administrative Compliance Evaluation Criteria</b>				
1. The project proposal is submitted through the EUMIS 2020 system within the deadline for the submission of project proposals, as specified in the Call for project Proposals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Check in the relevant public registers.</p> <p><u>According to Section II of the Call for Proposals, only project proposals submitted within the deadline are allowed to be evaluated at the stage of administrative compliance and eligibility. Under this Call project proposal submitted outside the deadline will be rejected and will not be considered.</u></p>
2. The application form is submitted electronically through the EUMIS 2020 system by the person, representing the applicant, or the person, authorized for the purpose of submitting the project proposal, and signed with the QES of the natural person, author or with the holder the legal entity applicant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Verification in relevant public registers.</p> <p>Check whether the qualified electronic signature for the submission of the project proposal is valid at the date of application and belongs to the holder and author – the natural person, who is the official representative of the applicant or with the holder of the applicant legal entity, in which case the author of the signature should be the official representative of the applicant.</p> <p>The Qualified Electronic Signature (QES) may also be with the holder and author - the authorized natural person or with the holder of the applicant legal entity, in which case the author of the signature should</p>



			<p>be the official representative of the applicant or the authorized natural person.</p> <p>The irregularities shall be eliminated by the applicant only once and the elimination should be done within the time limit set by the evaluation committee.</p> <p>Non-elimination of irregularities is a basis for rejection of the project proposal.</p>
<p>3. A notarized power of attorney (order for public organizations) was presented to authorize a person, representing the Applicant (if applicable), in relation to submitting the project proposal and signing the form with a QES. In cases where the applicant is represented together by several individuals, the power of attorney shall be signed by each of them.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12 "Attached electronically signed documents"</p> <p>In case of a missing or irregular authorization document, it will be requested from the applicant.</p> <p>The power of attorney must be valid at the date of submission of the project proposal.</p> <p>The deficiencies shall be eliminated by applicant only once. Failure to submit the document, requested by the assessment committee, within the set deadline or submission of a document that is irregular is basis for not allowing the project proposal to be admitted to the TFA and rejection of the project proposal.</p>



<p>4. The application form is filled out in accordance with the instructions, given in the Call for Proposals, the electronic application form, and the requirements of the EUMIS 2020, with all the required documents attached to the application form.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12 “Attached electronically signed documents”</p> <p>An electronic application form and its annexes are available.</p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is basis for not allowing the project proposal to be admitted to the TFA and its rejection.</p>
<p>5. The application form and all the declarations are also submitted in English.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12 “Attached electronically signed documents”</p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is basis for not allowing the project proposal to be admitted to the TFA and its rejection.</p>





<p>6. Document for registration is submitted - copy certified by the applicant / partner's with stamp and the text " Certified true copy "</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12 "Attached electronically signed documents"</p> <p>Actions: These documents have to be submitted by the applicants and partners from Bulgaria and/or from Donor States participating in the procedure. /Ex officio check in public registers including the registers described on pages 35-36 from the guidelines.</p> <p>The document shall not be submitted if it is published and where the information in it / s is accessible through a public register or can be provided through direct and free access to the national databases or of the Donor States.</p> <p>In case the applicant is registered under the Law on the Commercial Register and the Register of Non-Profit Legal Entities, this circumstance shall be verified ex officio according to Art. 23, para. 6 of the Commercial Register Act.</p> <p>If deficiencies are found, the commission will request the candidate to eliminate the deficiencies.</p> <p>Deficiencies shall be eliminated by the applicant only once, such as the removal should take place within the time limit set by the assessment committee.</p> <p>Non-elimination of deficiencies is basis for rejection of the project proposal.</p>
--	--------------------------	--------------------------	--

7. Decision of the Municipal Council of the municipality for application under the current Call	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12 "Attached electronically signed documents"</p> <p>Actoins:</p> <p>If deficiencies are found, the commission will request the candidate to eliminate the deficiencies found.</p> <p>Deficiencies shall be eliminated by the applicant only once, such as the removal should take place within the time limit set by the assessment committee.</p> <p>Non-elimination of deficiencies is basis for rejection of the project proposal</p>
8. Document (s) for Good Standing of the partner (s) (if any) issued no earlier than 3 months before the application deadline	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020. Section 12 Attached electronically signed documents /Ex officio check in public registers in Bulgaria and described registers of Donor States on pages 35-36 of the guidelines</p> <p>Actions: The document is scanned and attached in Section 12 of the Application Form.</p> <p>Document (s) for the present status of the partner (s) (if any) is/are not presented when the data in it/them are available through a public register or can be provided through direct and free access to national databases and of the Donor States.</p> <p>In case the partner is registered under the Law on the Commercial Register and the Register of Non-Profit Legal Entities, this circumstance shall be verified ex officio according to Art. 23, para. 6</p>



				<p>of the Commercial Register Act.</p> <p>In case of discrepancy between data in the respective register and data related to the current status of the partner (s) contained in the application form submitted by the applicant and its annexes, the Programme Operator may request the submission of a Certificate (s) on the current the status of the partner (s) (if any) issued no earlier than 3 months before the application deadline.</p> <p>If deficiencies are found, the commission will request the candidate to eliminate the deficiencies.</p> <p>The deficiencies shall be eliminated by the applicant only once and the elimination should be done within the time limit set by the assessment committee.</p> <p>Non-elimination of deficiencies is base for rejection of the project proposal.</p>
<p>9. Certified Statement of revenue and expenditures and Balance of the project promoter are presented by the respective responsible persons of the applicant – for the last three financial years since the date of publication of the present Call – (2018, 2017, 2016) or an access link is provided if the data is available on a public register/website.</p> <p>The document(s) shall not be submitted when the data from</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>In case the mentioned documents have been disclosed in the Register of Non-profit Organizations at the date of application and are in an identical format to the one in which they were submitted to the NSI, this circumstance shall be verified ex officio in accordance with Art. 23, para. 6 of the Act on the Commercial Register and the Register of Non-profit Organizations.</p> <p>If the same (s) have not been published in a free public register, the Accounting Balance Sheet (s)</p>



it/them is available through a free online public register.				<p>will be required.</p> <p>If deficiencies are found, the commission will request the candidate to eliminate the deficiencies.</p> <p>The deficiencies shall be eliminated by the applicant only once and the elimination should be done within the time limit set by the assessment committee.</p> <p>Non-elimination of deficiencies is base for rejection of the project proposal.</p>
10. A Communication plan for the project proposal is presented in Bulgarian and English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12: Attached electronically signed documents</p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected.</p>
11. A letter of intent to form a partnership or draft partnership agreement or have been submitted in accordance with Art. 6.4 of the Programme Agreement in the presence of project partners in Bulgarian and English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12: Attached electronically signed documents</p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the</p>



				assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected.
12. The CVs of the project management and implementation team are presented in Bulgarian and English according to the provided template.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12: Attached electronically signed documents</p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected.</p>
13. A Project Quality Management Plan and Risk assessment of the project implementation have been provided in Bulgarian and English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12: Attached electronically signed documents</p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the</p>



				project proposal to be admitted to the TFA and rejected..
14. A Single cost Financial Justification of all costs included in the budget of the project proposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12: Attached electronically signed documents</p> <p><i>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</i></p> <p><i>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected.</i></p>
15. The up-to-date templates of the documents provided by the Programme operators are presented and their structure and contents have not been changed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form</p> <p><i>In case of established irregularities the Committee will require the removal of the irregularities.</i></p> <p><i>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected</i></p>



Eligibility criteria				
16. The Applicant and (where applicable) any (all) partner(s) shall be eligible Applicant/Partner as required by this Call and shall have been established as a legal entity in Bulgaria or in one of the Donor States or in a country that is outside the European Economic Area and which has a common border with the Republic of Bulgaria, or another international organization or its body, or an agency that is actively involved in and effectively contributes to the implementation of the project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 2 "Data of the applicant"; /Ex officio check in public registers.</p> <p><b>Actions:</b> If the applicant/partner is not eligible under the Call, the project proposal is not admitted to TFA and rejected..</p>
17. The information, provided in the Declaration of De-minimis and State Aid (Annex D2) on the minimum aid, received in the previous two years and the current budget year, indicates that the applicant/partner(s) is/are entitled to receive minimum aid that will not exceed the eligible maximum size, according to Art. 3 of Regulation 1407/2013	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 12: Attached electronically signed documents, Applicant's Minimum and State Aid Statement (if applicable)/Partner (if any) and Application Form, Section 5: Budget</p> <p><b>Actions:</b></p> <p>If the applicant/partner(s) has/have already received the maximum amount of eligible minimum aid, the project proposal is not eligible for TFA.</p> <p>If the applicant/partner(s) has/have received minimum amount of aid, which, together with the budget, foreseen under the project proposal, will exceed EUR 200,000 over a period of three budgetary years, the proposal shall not be admitted to TFA and rejected.</p>





				Reference to the Commercial Register (for the companies mentioned in the declaration) regarding all the conditions of Art. 2 (2) and Art. 3 (8) and (9) of Regulation (EU) No. 1407/2013;
18. If the applicant has submitted more than one project proposals, is that the first one?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020.</p> <p><b>Actions:</b> <i>In case the applicant has submitted more than one project proposal under this Call (Note: Each applicant is entitled to submit only one project proposal under this Call), only the first submitted project proposal where the applicant is a Project Promoter, will be allowed for evaluation, and the second and / or subsequent project proposals where the applicant is in the capacity of a Project Promoter are dropped.</i></p>
19. The applicant is not a partner in more than two project proposals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020</p> <p><i>If the applicant is a partner in more than two project proposals under this Call (Note: Each applicant is eligible to participate as a partner in only two project proposals under this Call), the first two in submission of project proposals will be allowed for evaluation where the applicant is a partner and the third and / or subsequent project proposals of the applicant as a partner are dropped.</i></p>
20. The project proposal sets the objective(s) of the project in accordance with the objective of the procedure, set out in the Call	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Source of information: EUMIS 2020, Application form</p> <p><b>Action:</b> If the stated objective(s) of the project proposal is/are not in line with the purpose of the procedure, set out in the call, the project proposal is not admitted to TFA and rejected.</p>



21. The indicators that will be implemented through the project proposal correspond to those, indicated in the Call.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 7: Implementation plan/Project activities, and Section 8: Indicators</p> <p><b>Action:</b> <i>Verify that the indicators, set out in the project proposal, meet those, set out in the Call.</i></p> <p><i>If the indicators in the project proposal do not correspond to all indicators, described in this Call, the project proposal is not admitted to the TFA.</i></p>
22. The main activities in the project proposal are eligible under the Call.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 7: Implementation plan/Project activities</p> <p><b>Actions:</b> Verify that the activities, foreseen in the Project Proposal, are admissible, according to the eligible activities, described in the Call. The description of the activities of the Application Form must be in fulfillment of the minimum required or more of the eligible activities under the Call. If the activities in the project proposal do not meet those, described in the present Call, the project proposal is not admitted to the TFA.</p>
23. The maximum and minimum values of the claimed grant have been complied with requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 5: Budget</p> <p><b>Actions:</b> If the project proposal does not meet the maximum and minimum grant requirements, the project proposal is not admitted to the TFA and rejected.</p>



24. The maximum eligible budgetary limits for management expenditure have been complied with (Activity 1); unforeseen and indirect costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 5: Budget</p> <p><b>Actions:</b> In case the project proposal does not meet the requirement for maximum amount of budget limits, the project proposal is not admitted to the TFA and rejected.</p>
25. The duration for the implementation of the project proposal is in accordance with the requirements of point 14 of the Call for proposals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 1: General data, Section 7: Implementation plan/Project activities</p> <p><b>Actions:</b> If the duration of the project, laid down in Section 7: Implementation plan/Project activities, of the Application Form, exceeds the maximum allowed in the Call, the project proposal shall not be admitted to the TFA..</p> <p>In the event of a discrepancy between the information on the duration of the project, referred to in Section 1: General data, and Section 7: Implementation plan/Project activities, of the Application Form, the information, provided in Section 7 shall be considered correct and the duration in Section 1 will be adjusted accordingly with the one in Section 7 of the AF.</p>
26. The project proposal is aimed at least one eligible target group according to the Call.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Source of information:</b> EUMIS 2020, Application form, Section 7: Implementation plan/Project activities, and Section 11: Supplementary information, required of the assessment of the project proposal, "Target groups" field</p> <p><b>Action:</b> In case the project proposal</p>



				does not target at least one eligible target group under the Call, the project proposal is not admitted to the <u>TFA</u> .
27. A financial justification of single costs is provided for all costs, included in the budget of the project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Source of information: EUMIS 2020, Application form</u></b></p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected.</p>
28. The up-to-date templates of the documents, provided by the Programme Operator, are attached without change in their structure and content.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Source of information: EUMIS 2020, Application form</u></b></p> <p>In case of missing documents or ascertained missing information, these will be requested from the Applicant.</p> <p>Failure to submit the information and documents, required by the assessment committee within the specified timeframe or the submission of irregular documents, is grounds for not allowing the project proposal to be admitted to the TFA and rejected.</p>

If the above questions cannot be answered in the affirmative, the project shall be proposed for rejection. If justification is requested, it will only be taken into account in so far as it does not modify the project proposal.

#### Technical and financial assessment



Програмен оператор: Министерство на околната среда и водите  
Programme operator: Ministry of Environment and Water

The "Technical and Financial Assessment" (TFA) is a substantive evaluation of project proposals, which includes the following criteria:

1. Capacity of the applicant and the partner(s)
2. Presence of a partnership on the project
3. Relevance and justification
4. Activities and implementation method
5. Sustainability of project results
6. Financial assessment

Each criterion includes several sub-criteria. The evaluation of the project proposal by a certain criterion is obtained as the sum of the points, received by the relevant sub-criteria. The maximum number of points a project proposal can receive is 100. To be eligible for a single project proposal, the overall final score at the TFA stage must be equal to or greater than 50 points.

If the total number of points, received for the "Relevance and justification" criterion is less than 10 points, the assessment committee shall submit the project proposal for rejection.

If the total number of points, received for the criterion "Activities and implementation method" is less than 17 points, the assessment committee shall submit the project proposal for rejection.

If the total number of points, received for the criterion "Capacity of the applicant and the partner(s)" and/or "Financial assessment" is 0 points, the assessment committee shall submit the project proposal for rejection.

If two or more project proposals have the same overall final grades, they will be ranked in descending order by the following criteria and in the indicated order:

- Highest goal values of the indicators;
- Larger partner amount;

Presence/number of partners from the donor states.

	Criteria	Points	Source of information
<b>I</b>	<b>Capacity of the applicant and its partner/s</b>	<b>11</b>	
1.	The Applicant and partner(s), (if any), together or separately have experience in the implementation of activities under the environmental protection and 2 or more previously implemented projects, in the field of water management.	5	<u>Source of information:</u> EUMIS 2020, Application form



	Criteria	Points	Source of information
	The Applicant and the partner(s), (if any), have experience in the implementation of activities under the Environmental Protection and at least 1 previously implemented project, together or individually in the field of water management.	2	
	The applicant and partner(s) (if any), together or individually, have experience in the implementation of activities under the Environmental Protection and/or no previously implemented projects in the field of water management.	0	
2.	Do the applicant and / or partner (s) (if any) have sufficient project management capacity? The presence of the following components shall be taken into account: - equipment, technical equipment, office; - the applicant and / or partner(s) have a management team with the necessary professional experience for project management.	4	<u>Source of information:</u> EUMIS 2020, Application form Section 12: Attached electronically signed documents “
	All of the above components are present	4	
	At least one of the above components have been completed.	2	
	None of the above components are present.	0	
3.	The applicant has described that he/she has the necessary financial resources to carry out the project activities.	2	<u>Source of information:</u> EUMIS 2020, Application form Section 12: Attached electronically signed documents“
	The applicant did not describe that he/she has the necessary financial resources to carry out the project	0	



	Criteria	Points	Source of information
	activities.		
<b>II</b>	<b>Presence of partnerships under the project</b>	<b>15</b>	
4.	The implementation of the project activities is planned to be jointly with 2 or more partners.	4	<u>Source of information:</u> EUMIS 2020, Application form
	The implementation of the project activities is planned to be jointly with 1 partner.	2	
	The implementation of the project activities is not planned to be jointly with a partner(s).	1	
5.	The project will be implemented through the implementation of good practices by donor states.	4	<u>Source of information:</u> EUMIS, Application form
	The project will not be implemented through the implementation of good practices by donor states.	0	
6.	The responsibilities of the applicant and the partner/partners in the implementation of the project are defined explicitly and in detail in the project proposal as well as the participation of each of them (functions in the implementation and engagement in achieving the results) in the separate activities of the project proposal.	7	<u>Source of information:</u> EUMIS 2020, Application form
	The specific responsibilities between the applicant and the partner / partners in the implementation of the project are not defined in detail in the project proposal.	3	
	No responsibilities of the applicant and/or partner/partners in the implementation of the project are defined in the project proposal.	0	
<b>III</b>	<b>Relevance and justification</b>	<b>20</b>	
7.	Contribution to the objectives of the EEA Financial	2	<u>Source of</u>





	Criteria	Points	Source of information
	Mechanism: "Contributing to reducing economic and social disparities in the European Economic Area" and "Strengthening bilateral relations between Bulgaria and donor countries" and to the overall objective of the Program: "Improved environmental status in ecosystems and reduced pollution and other human activities."		<u>information:</u> EUMIS 2020, Application form
	There is a clear link between the overall objective of the project and the objectives of the EEA Financial Mechanism and the overall objective of the Programme and the project contributes in a concrete and consistent way to their achievement.	2	
	The project in a sufficient degree meets the criterion / sub-criterion. However, some aspects of the criterion / sub-criterion are not fully explained.	0	
8.	The planned activities of the project proposal are aimed at meeting the identified needs of the stakeholders and the method/ mechanism for achieving this is described.	4	<u>Source</u> of <u>information:</u> EUMIS 2020, Application form
	The planned activities of the project proposal are partly aimed at meeting the identified needs of the stakeholders / or the manner / mechanism for achieving this is insufficiently described.	2	
	The planned activities of the project proposal are not aimed at meeting the identified needs of the stakeholders but the manner / mechanism for achieving this is not described.	0	
9..	The project stakeholders identified by the applicant are clearly* described and quantifiable	4	<u>Source</u> of <u>information:</u> EUMIS, Application form
	The project stakeholders identified by the applicant are clearly described but not quantifiable.	2	



	Criteria	Points	Source of information
10.	<p>Does the project proposal have clearly* defined outcomes?</p> <p>The following criteria are taken into account:</p> <ul style="list-style-type: none"> <li>- The expected outcomes are clearly* defined and objectively measurable;</li> <li>- The aim of the outcomes is directly to achieve the project indicators.;</li> <li>- It is clear* from the the project proposal how the expected outcomes for each individual activity contribute to the achievement of the specific objectives of the project.</li> </ul>	10	
	All the above criteria are met.	10	
	One of the above criteria is not met.	5	
	Two of the above criteria are not met.	2	
	None of the above criteria is met.	0	
<b>IV</b>	<b>Activities and implementation method</b>	<b>34</b>	
11.	The activities included in the project proposal guarantee to the highest extent the protection of the marine environment through the implementation of pilot and / or innovative purification models / technologies contributing to Outcome 2 and in addition awareness raising activities and educational campaigns are included.	6	<u>Source of information:</u> EUMIS 2020, Application form
	The activities included in the project proposal guarantee to the highest extent the protection of the marine environment when applying pilot and / or innovative purification models / technologies to contribute to Outcome 2	2	
	The activities included in the project proposal contribute to the protection of the marine environment through the implementation of pilot and / or innovative purification models / technologies	0	



	Criteria	Points	Source of information
	contributing to Outcome 2.		
12.	The activities included in the project proposal guarantee to the highest extent the protection of the marine environment through the implementation of pilot and / or innovative models / technologies for reduction of marine litter contributing to Outcome 2 and in addition awareness raising activities and educational campaigns are included.	10	<u>Source of information:</u> EUMIS 2020, Application form.
	The activities included in the project proposal guarantee to the highest extent the protection of the marine environment when applying pilot and / or innovative purification models / technologies for reduction of marine litter contributing to Outcome 2	6	
	The activities included in the project proposal contribute to the protection of the marine environment through the implementation of pilot and / or innovative purification models / technologies for reduction of marine litter contributing to Outcome 2.	0	
13.	The timeframe for implementation of the project activities is realistic, with clear continuance and duration of project activities.	4	<u>Source of information:</u> EUMIS 2020, Application form.
	The timeframe for the implementation of the project activities is not well presented, but the planned project activities can be implemented.	2	
	The timeframe for the implementation of the project activities carries the risk of not implementing the project activities.	0	
14.	The planned project activities in the Communication Plan ensure widespread publicity and dissemination of results between the stakeholders.	4	<u>Source of information:</u> EUMIS 2020, Application form. Communication plan.
	The planned project activities in the Communication	0	



	Criteria	Points	Source of information
	Plan do not ensure widespread publicity and dissemination of results between the stakeholders.		
15.	The Communication Plan includes more than the minimum required communication activities according to Annex 3 of the Regulation.	4	<u>Source of information:</u> EUMIS 2020, Application form. Communication plan.
	The Communication Plan includes the minimum required communication activities according to Annex 3 of the Regulation.	2	
	The Communication Plan does not include the minimum required communication activities according to Annex 3 of the Regulation.	0	
16.	The applicant has provided a description of potential risks e.g. delays, budgets, conflicts, etc.) and risk management and impact mitigation measures.	4	<u>Source of information:</u> EUMIS 2020, Application form Section 12: Attached electronically signed documents
	The applicant has provided a description of potential risks (e.g. delays, budgets, conflicts, etc.) but did not provide any risk management and impact mitigation measures.	2	
	The applicant has not provided a description of potential risks (e.g. delays, budget, conflicts, etc.).	0	
17.	The submitted quality management plan and risk assessment contains quality management measures, such as compliance with legal provisions in the implementation of activities and reporting of information and results relevant to the Call for Proposals.	2	<u>Source of information:</u> EUMIS 2020, Application form Section 12: Attached electronically signed documents



	Criteria	Points	Source of information
	The submitted quality management plan does not contain any quality management measures, such as compliance with legal provisions in the implementation of the activities and reporting of information and results relevant to the Call for Proposals.	0	
<b>V</b>	<b>Sustainability of project results</b>	<b>10</b>	
18.	The project proposal creates result (s) that will be multiplied, and the mechanisms that will multiply the experience and results of the project are described.	4	<u>Source of information:</u> EUMIS 2020, Application form.
	The project proposal does not create a result (s) to be multiplied and / or the mechanisms that will multiply the experience and results of the project are not described.	0	
19.	The applicant has described how it will ensure the financial and institutional durability of the project activities / results after its formal completion and has clearly outlined the measures to be taken.	4	<u>Source of information:</u> EUMIS 2020, Application form.
	The applicant has described how it will ensure the financial durability of the project activities / results after its formal completion, but there is no description of measures to ensure institutional sustainability.	2	
	The Applicant has described how it will ensure institutional durability of the project activities / results after its formal completion, but there is no description of the measures to ensure financial sustainability.	2	
	The Applicant has not described how it will ensure financial and institutional sustainability of the project activities / results after its formal completion	0	
20.	The applicant has described how the implementation of the project complements and / or upgrades other projects / initiatives for the protection of the	2	<u>Source of information:</u> EUMIS 2020, Application



	Criteria	Points	Source of information
	environment and the protection of marine waters against pollution occurring in the territory where the project will be implemented.		form.
	The Applicant did not describe how the implementation of the project complements and / or upgrades other projects / initiatives for environmental protection, initiatives for environmental protection and protection of marine waters against pollution, implemented in the territory where the project will be implemented.	0	
<b>VI</b>	<b>Financial assessment</b>	<b>10</b>	
21.	All project costs are reasonable and eligible.  The set project costs are fully consistent with the project activities and are necessary for their implementation. The necessary justification for the amount of costs is presented.	10	<u>Source of information:</u> EUMIS 2020, Application form. Financial Justification in a free text format
	Part of the projected costs are justified and eligible.  Some of the projected costs are fully consistent with the project activities and are necessary for their implementation.  Details are missing in the argumentation about the amount of costs.  The amount of ineligible expenditure does not exceed 10% of the project budget.	8	
	Some of the projected costs are justified and eligible.  Part of the projected project costs fully correspond to the project activities and are necessary for their implementation.  Details are missing in the argumentation about the amount of costs.	6	



	Criteria	Points	Source information of
	The amount of ineligible expenditure is in the range of 11% to 25% of the budget.		
	<p>Most of the projected costs are not justified and eligible.</p> <p>The projected project costs do not correspond to the project activities.</p> <p>There is a lack of substantive details of the reasoning for the amount of costs.</p> <p>The amount of ineligible expenditure exceeds 25% of the budget.</p>	4	
	<p>The projected costs are not justified and eligible.</p> <p>The projected project costs do not correspond to the project activities, they are not realistic and market based.</p>	0	

\* "Clear" is the description of the activities when:

- they are unambiguously formulated - no interpretation is required, no contradictions or factual errors are admitted in their description; and;
- are described in a way they can be individually identified among the other activities envisaged, and;
- their description contains the output of their implementation. The activities are not clearly described if the end result indicated in the description could not be achieved.

The selection committee may come up with a budget adjustment decision of a project proposal if during the evaluation process is found:

1. the existence of ineligible activities and/or costs;
2. discrepancy between the planned activities and the types of set costs;
3. duplication of costs;
4. non-compliance with the rules or restrictions, laid down in the Call, with respect to the set interest rates/cost thresholds;

In case the project proposal is ranked for funding, at the contracting stage the applicant will be informed about the adjustments made by the project selection committee. The applicant may refuse to conclude the contract or accept the adjustments.





In case of refusal to conclude a contract, the next ranked candidate is considered.

Adjustments will only be made to Applicants whose project proposals have received a score of 50 points or more.

## **27. Objection and appeal**

An applicant whose project proposal is included in the list of rejected projects for the relevant stage (ACE and TFA) may file a written objection to the head of the PO within one week of the notification. The head of the PO shall have a one week deadline to rule on the merits of the objections.

Objection may be filed through EUMIS 2020 to the Head of PO within one week of notification. New documents that were not part of the initial project proposal may not be submitted with the submission of the objection. The head of the PO shall rule on the merits of the objection within one week of receipt. If the Applicant's objection is justified, the PO may return the project proposal for examination at the relevant stage where it was rejected. If the objection is rejected, the applicant may appeal the decision of the PO before the competent Bulgarian court. The message shall be deemed to have been received by the applicant by sending it in EUMIS 2020.

## **28. Contract Concluding Procedure**

A Project contract (PC) shall be signed between the PO and the Project Promoter for each approved project.

GA shall set out the terms and conditions for granting the grant, as well as the roles and responsibilities of the parties. It shall ensure that in the implementation of the project, the Project Promoter will comply with the requirements of the documents forming the legal framework of the EEA FM 2014-2021.

GA shall explicitly refer to the Programme Agreement, including Annexes I and II and the Regulation and, as a minimum, contain clauses on:

- Reporting that will allow the PO to fulfil their reporting obligations to the FMC and the NFP;
- Maximum amount of the grant in EUR and maximum grant rate of eligible project costs;
- Applicable state regime / de minimis aid and amount of the aid provided (if applicable under the specific procedure);
- Costs eligibility;
- Maximum amount of indirect costs;



- Initial and final date of expense eligibility;
- Project modification;
- Provision upon request of immediate and unhindered access for the purposes of monitoring and audits up to 5 years after the end of the project;
- Compliance with publicity obligations;
- PO's right to terminate payments and to claim reimbursement of paid amounts from the Project Promoter if such a decision is made by FMC, PO or NFP;
- Settling disputes and jurisdiction;
- Detailed budget with breakdown of cost per item and unit costs;
- Payment method;
- Schedule of payments;
- Reference to a partnership agreement or declaration of intent to partner;
- Intellectual property rights for projects involving research.

An integral part of the GA are the following Annexes:

- Approved project proposal and attached project budget, implementation plan and subcontracting plan, and risk reduction plan;
- Signed Partnership Agreement;
- Declarations

## ***29. List of documents to be submitted before the Contract conclusion***

1. Certificate from the National Revenue Agency for lack of obligations of the applicant (issued no earlier than six months before their submission date): one original or a copy certified by the applicant;
2. Certificate of no criminal conviction of all persons entitled to represent the applicant, whether jointly and/or separately, and/or otherwise (issued not earlier than 6 months before the date of submission);
3. Certificate of absence of obligations to the municipality at the registered office of the applicant / partner (issued no earlier than 6 months before the date of their submission), original or copy certified by the applicant.
4. Declaration of Irregularities (by Applicant and Affiliate(s) – Annex D4);
5. Partnership Agreement, as per template, Annex D 13 (only if a project partner exists);
6. Declaration of access by the Project Promoter 's manager to EUMIS 2020, as per



template, Annex D3;

7. Declaration for determining the skills and competencies of the team for the implementation of the project activities, as per template, Annex D11;
8. Additional supporting documents at the time of signing the contract (if required at PO's request).
9. Declaration of Minimum and State Aid for the Applicant and the Partner - in the form of Annex D2.

In case of changes in the declared circumstances at the stage of submission of the project proposal by the applicant, the applicant partner need to re-submit the declarations requested at the application stage.

### **30. Bilateral relations fund**

The purpose of the BRF is to provide financial support for the fulfillment of activities and initiatives in partnership between eligible Project Promoter from the Republic of Bulgaria and the Donor Countries, in accordance of Art. 4.1 of the Regulations.

In accordance with Art. 8.8 of the Regulation, eligible activities for financing from the Bilateral relations fund are the following:

- Activities, aimed at strengthening the bilateral relationship between Donor Countries and the Beneficiary Country;
- The search for partners to implement donor partner projects before or during the preparation of the project proposal, the development of such partnerships, and the development of a project proposal;
- The development of a network, the share experience and knowledge, technology, know-how, and good practices between organizations in beneficiary countries, donor countries, and international organizations;
- Activities, directed towards the strengthening of bilateral cooperation, the exchange of experience and good practices between the programme operator and other similar organizations from the Beneficiary Countries and the Donor Countries, as well as international organizations as one of the participants must be from the Donor Countries;
- In certain cases, the PO may approve the use of a "total amount" for business trip expenses (travel, daily allowance, and accommodation costs, incurred by foreign partners), while respecting the principle of proportionality. Costs, incurred by the Project Promoter and/or partners that registered in the territory of the country, are subject to national legislation;



- Eligible costs under the Bilateral Relations Fund are for travel, overnight stays, meals, daily allowance, hiring of halls, translation, and other costs that are necessary to ensure the performance of the partner activities.

A Travel Support Scheme under the Environment and Climate Change Programme under the Bilateral Relations Fund is open for the whole period of the programme implementation or until the defined budget for the Bilateral Relations Fund is exhausted. More information on participation in the call for bilateral initiatives can be found on <https://www.eeagrants.bg/programi/okolna-sreda>

### **31. Additional information**

Regulatory documents of the Programme and the EEA FM: <https://www.eeagrants.bg/dokumenti/normativni-dokumenti>

Website of the EEA Financial Mechanism: <http://www.eeagrants.org/>

Ministry of Environment and Waters: [www.moew.government.bg](http://www.moew.government.bg)

Website of the EU funds, incl. information on the EEA: [www.eufunds.bg](http://www.eufunds.bg)

Website of the Programme: <https://www.eeagrants.bg/programi/okolna-sreda/novini>

Website of the Norwegian Environment Agency: [www.environmentagency.no](http://www.environmentagency.no)

### **32. Legal framework**

The Programme shall be implemented in compliance with the following regulations and rules:

- Agreement between the European Union and Iceland, the Principality of Liechtenstein and the Kingdom of Norway on FM of EEA 2014-2021;
- Protocol 38B on the EEA Financial Mechanism 2014-2021 to the Agreement between the European Union, Iceland, the Principality of Liechtenstein, and the Kingdom of Norway on the Financial Mechanism of the EEA 2014-2021;
- The Regulation for the implementation of the Financial Mechanism of the EEA 2014–2021;
- Memorandum of Understanding on the implementation of the EEA Financial Mechanism 2014-2021;
- Ratification Act of the Memorandum of Understanding on the Implementation of the Financial Mechanism of the European Economic Area 2014-2021 between the Republic of Bulgaria and the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway;
- EPCCP Programme agreement, including Annexes I and II signed between FSC and NFP;



- Agreement on the Implementation of the Bilateral Relations Fund and the FMO Guidelines on Bilateral Relations;
- All rules and guidelines adopted by the Donor states in accordance with the Regulation, incl. for publicity, bilateral relations, project selection, etc., published on the EEA Financial Mechanism website, [www.eeagrants.org](http://www.eeagrants.org), in the [Guides, Mandates and Strategy](#) section;
- Additional information submitted by the PO and approved by the FMC/Norwegian MFA as part of the approval process of the Programme Agreement, including Annexes I and II;
- Systems for management and control of the implementation of the Financial Mechanism of the European Economic Area and the Norwegian Financial Mechanism (2014-2021) for Bulgaria;
- Guidelines for determining the financial corrections to be made by the European Commission against expenditure financed by the EU under the principle of shared management for non-compliance with the public procurement rules approved by Decision C (2019) 3452 of 14.05.2019;
- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 for the establishment of a framework for Community action in the field of water policy (Water Framework Directive);
- Directive 2013/39/EC of the European Parliament and of the Council of 12 August 2013 amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of water policy;
- Directive 2008/56/EC of the European Parliament and of the Council of 17th of June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive);
- Commission Decision of 1 September 2010 on criteria and methodological standards for good environmental status of marine waters (2010/477/EU);
- Protection of the Maritime Environment in the Republic of Bulgaria Strategy and Programme of Measures of the Republic of Bulgaria 2016 - 2021;
- Convention on the Protection of the Black Sea Against Pollution;
- National legislation of the Republic of Bulgaria in the field of public procurement, contractual relations, ownership, settlement of civil disputes, accounting, including but not limited to:
- Administration Act (AA);
- Value Added Tax Act and Regulations for Implementing the Law on Value Added Tax;



- State aid act and Regulations for application of the State aid act;;
- Civil Servants Act;
- Public Procurement Act and Regulations for Implementation of the Public Procurement Act;
- Law on counteracting corruption and seizure of the illegally acquired property;
- Public Finance Act;
- Accountancy act;
- Financial Management and Control in the Public Sector Act;
- Internal Audit in the Public Sector Act;
- National accounting standards applicable to budget organizations;
- Chart of accounts of budget organizations;
- Guidelines of the National Fund Directorate at the Ministry of Finance on the organization of the accounting process of the Programme Operators and standard accounting entries for the accounting events, resulting from the financial management of the Programmes financed by FM of EEA and NFC 2014-2021;
- Decree No. 118 from 20 May 2014 on the terms and procedure for the determination of a contractor by grant recipients of the EEA Financial Mechanism, the Norwegian Financial Mechanism, the Asylum, Migration and Integration Fund, and the Internal Security Fund, (Title, Amended and supplemented – SG issue 50/2015, in force as of 03.07.2015, Amended – SG issue 52 from 2016, in force from 08.07.2016)

The Decree for defining the conditions, the order, and the mechanism of functioning of the information system for management and monitoring of the funds from the European structural and investment funds (EUMIS 2020) and for conduct of proceedings before the managing authorities through EUMIS 2020;

