



EUROPEAN UNION

DELEGATION TO BOSNIA AND HERZEGOVINA

### CLARIFICATION No. 1

**Call for Proposal Title:** 3rd Call for Proposals Cross-border Programme  
Bosnia and Herzegovina - Montenegro

**Publication reference:** EuropeAid/170435/DD/ACT/BA

**Tender No:** EC/BiH/CFP/20/003

#### QUESTION no. 01

We are regional public Ministry in regard with water and land management, situated in a city that is not in project area. Could we apply for some project that will be implemented in municipalities that are in project area?

#### ANSWER no. 01

According to the Guidelines for Applicants, Section 2.1, in order to be eligible for a grant, the lead applicant must:

- be a legal person, and
- be non-profit-making, and
- be effectively established in either Bosnia and Herzegovina or Montenegro, and
- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary, and
- be one of the following institutions or organisations:
  - o Lot 1: business development organisations, business associations, employment offices and economic development departments in regional and local governments, high education institutions, vocational education and training institutions, social partners and civil society organisations.
  - o Lot 2: Central and regional authorities/institutions with relevant competencies/responsibilities in the eligible area, local governments and their institutions; development agencies; organisations (including NGOs) for nature protection and climate change; public bodies responsible for fire/flood/emergency services, and environmental emergency services.

Co-applicant(s) and affiliated entity(ies) must satisfy the eligibility criteria as applicable to the lead applicant himself .

Furthermore, Section 2.1.4 ('Location') defines that actions or operations must have as final beneficiaries the population of the programme area.

The eligibility criteria for applicants include the criterion of being effectively established in either Bosnia and Herzegovina or Montenegro. The geographic restrictions to the programme area refer to the actions, i.e. projects.



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**QUESTION no. 02**

Is it acceptable for a Development Agency based in BiH outside the program area to be an applicant or a partner in a project to be implemented exclusively in the program area and to cover salary, administrative and transport costs from the project that are exclusively related to that project.

**ANSWER no. 02**

To ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.

Please also refer to the Answer 01.

**QUESTION no. 03**

We would like to ask the question regarding the issue of permit for infrastructure works that is envisaged to be performed under application for the 3rd Call for Proposals cross border programme BH-Montenegro IPA II.

We are preparing the application with our partner-municipality, that would like to improve the situation of their fire-fighter department, to adapt and prepare the premises to serve as a fire-fighter station for staff and for equipment.

The issue that the municipality is facing is that space for the fire department that suits this purpose is in cadastre on the municipality and not in title deed meaning that the municipality does not have a certificate of ownership. This means that this space does not have a building permit, but the municipality can get an urbanistic permit.

Is this activity and cost eligible to be financed through this call?

**ANSWER no. 03**

To ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.

In the Guidelines for Applicants, Section 2.4 it is stated that, when an operation contains the execution of works, the following supporting documents, submitted along with the full application form, will be necessary:

- a. Proof of ownership or long term lease (at least for 10 years after the signature of the contract) of the land/assets where the works are to be executed;
- b. A positive decision on environmental impact assessment or otherwise a statement from the relevant public authority(ies) that the latter assessment(s) are/is not needed for the specific project activities;

and the following supporting documents shall be submitted before the contract signature:

- a. All necessary legal authorisations (e.g.: location and construction permits).



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- b. Approved/certified detailed work design or otherwise a statement by the relevant national institution(s) confirming that the national legislation(s) do/does not require the design's approval for this type of works;
- c. An indicative priced bill of quantities drawn not earlier than 2 years prior to the deadline for submission of full applications – calculated in euro.

For a facility to be included in the action proposal, all the above documentation is required.

#### **QUESTION no. 04**

From those listed below which entity is eligible to apply as a co-applicant under the Lot 1:

- 1) Public institution founded by the municipality, whose activities are basic education, training and social protection of youth and adults with disabilities,
  - Non-governmental volunteer association,
  - Social enterprise which employs persons with disabilities, registered as L.L.C.?
- 2) Is it possible to undertake one activity outside the eligible area in order to build the capacity of the cross-border partners (i.e. joint study visit of Montenegrin and BIH partners to the EU country)?

#### **ANSWER no. 04**

- 1) To ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.  
Whether an organisation falls under a specific type of institution and other eligibility criteria stated in the Guidelines for Applicants, is a part of deliberations of the Evaluation Committee based on supporting documents as specified in sections 2.3 (STEP 3) and 2.4 of the Guidelines.  
Please also refer to the Answer 01 above.
- 2) Please refer to the Section 2.1.4 of the Guidelines for Applicants for this Call for Proposals, for the eligibility of action with regard to its definition, location, duration, sectors or themes, types of action, types of activity. An action is composed of a set of activities. It may be that an activity or a part thereof would be taking place outside the programme area. In the event an activity taking place outside of the programme territory is proposed, it will be assessed as a part of the action against the criteria and evaluation grid stated in the Guidelines.

#### **QUESTION no. 05**

Can the co-financing of applicants in the amount of 20% be shown through equipment that will be used or exclusively through money?

#### **ANSWER no. 05**

As far as co-financing is concerned: Section 2.5 of the Guidelines for applicants details that 'Contributions in kind **may not** be treated as co-financing.'(\*) As an exception, volunteers' work may comprise up to 50 % of the co-financing.



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(\* *In this context, please note that ‘contributions in kind’ mean the provision of goods or services to beneficiaries or affiliated entities free of charge by a third party.*

As far as equipment is concerned: please note that costs related to the use of equipment may be considered as ‘eligible costs’ as long as they would fit into the conditions set out in article 14.2 of the general conditions (see article in particular 14.2 points (c), (d) and (j - 5) referring to equipment).

#### **QUESTION no. 06**

Is it necessary to submit only CONCEPT NOTE or documents - Declaration by the applicant, Mandate for co-applicants (when required), Affiliated entities statement (when required) - Annex H - Declaration of honour on exclusion and selection criteria are also required?

Also, we need information about Human resources costs - which percentage is the maximum acceptable in relation to the total project budget, so we can make a draft of budget?

#### **ANSWER no. 06**

As detailed in the Guidelines for Applicants, section 2.2.:

- the concept note together with the declaration by the lead applicant (Annex A.1 Section 2) must be submitted online via PROSPECT <https://webgate.ec.europa.eu/europeaid/prospect> following the instructions given in the PROSPECT user manual,

At this stage of the procedure the full application should not be submitted.

This Call for Proposals has not set the maximum acceptable amount for the human resources costs.

However, we draw your attention to Section 2.1.5 of the Guidelines, which details under ‘Eligible direct costs’, the conditions applicable in case of ‘Salary costs of the personnel of national, regional or local administrations, as well as those of other publicly owned or controlled institutions or enterprises. Please note that the total sum of their salaries shall not exceed the amount of co-financing (except in case when these staffs are recruited for the sole purpose of managing the grant).

In addition, please note that ‘volunteers’ work’ may comprise up to 50 % of the co-financing.

#### **QUESTION no. 07**

I have one question about PROSPECT upload in Section 4: Documents. I know that first section is for concept note upload, but what should be uploaded in the second section? Is it for ‘Declaration by the applicant’ upload? Did I get it correct that ‘Mandate’ and ‘Declaration on Honour’ should be uploaded together with the full application?

#### **ANSWER no. 07**

Please see the Answer 06 above.

#### **QUESTION no. 08**

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Regarding our willingness for the submission of concept note to the 3rd Call for Proposals Cross-border programme Bosnia and Herzegovina – Montenegro under the Instrument for Pre-accession Assistance (IPA II), we need information related to the financial allocation provided by Contracting authority.

Please inform us about manner of allocating approved budget funds, are the funds (grant contract) allocated in advance or in tranches after the realized periodic reports to the contracted, so that we can plan the necessary funds if the project proposal is accepted.

**ANSWER no. 08**

Please refer to the Call for Proposals, Annex G Standard Grant Contract and the General Conditions included therein. The advance payment of EU grant is envisaged including an initial pre-financing payment upon the contract signature and further pre-financing payment(s) subject to reporting in line with conditions detailed in Article 15. The total sum of pre-financing payments may not exceed 90% of the EU grant.

**QUESTION no. 09**

Can co-financing of applicants in the amount of 20% be shown through equipment or salaries of the applicant's employees?

**ANSWER no. 09**

Please see the Answer 05 above.

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