

QUESTION & ANSWERS

updated 21.07.2020

No.	Question	Answer
Project staff appointment		
1.	Is it possible for the members of the administrative team to work also as experts on some of the project activities? The working hours on both activities will not overlap which can be proved by respective time sheets.	An expert, engaged to perform activities related to project management as part of the project team under the project, could not be hired as external expert.
2.	Are expenditures for sick / holiday leave eligible under the project in case the employee is engaged in part-time?	<p>Expenditure for holidays and sick leave are eligible for part-time employment with fixed percentage of time worked per month and shall be declared proportionally. Holidays and sick leave costs are not eligible for part-time assignments with a flexible number of hours worked per month and assignment on an hourly basis. (See Programme Implementation Manual, item 7.9 on http://www.ipacbc-bgrs.eu/bg/implementation-stage/naruchnik-za-izpulnenie-na-proekti-v-117052019).</p> <p>Payment conditions for holidays and sick leave are also stipulated in item 4 of the Clarification on assignment of staff of Bulgarian partners employed under the projects, published on http://www.ipacbc-bgrs.eu/bg/implementation-stage/red-i-nachin-na-vuzlagane-na-zadulzheniya-na-chlenovete-na-ekipite-na. It is explicitly clarified that in case of assignment on part-time with a flexible number of hours per month expenditure for sick / holiday leave is not eligible.</p>
3.	What supporting documents should be attached to the Request for First level control as acceptable evidences for payment of the staff remuneration in case team members are nominated with administrative order and they work on the project within the standard 8 hours working day? How to	<p>The main documents which will be required in the process of verification are:</p> <ul style="list-style-type: none"> • Labour contract /Decision or Order for appointment; • Job description containing information on project implementation responsibilities; • Administrative order for nomination of project team;

	<p>documentary prove the team member is really working under the project since he/she is receiving a salary according the primary labour contract with the Municipality? What will be the basis for calculation of the amount which is subject of verification by the MA? Will salary costs as per the budget of the project be recognized, or will the lower payment as per the primary contract be recognized?</p>	<ul style="list-style-type: none"> • Time-sheets which cover 100% of actual working time and providing information on the number of hours spent per month on the project (applicable in case of part-time assignment with a flexible number of hours per month); • Payrolls, slips and other equivalent documents; • Proof of payments of salary and all social insurance etc. on behalf of the employer; <p>As it is stated in item 2 of the Clarification on assignment of staff of Bulgarian partners employed under the projects (http://www.ipacbc-bgrs.eu/bg/implementation-stage/red-i-nachin-na-vuzlagane-na-zadulzheniya-na-chlenovete-na-ekipite-na) the Administrative Order for appointment/nomination of project team must specify the project name/number, the functions to be performed by the relevant experts, the deadlines for implementation, the hours of employment under the project, as well as the chosen method of calculation of the remuneration under the project. The part of remuneration costs which will be requested for reimbursement under the project must be calculated on the base of real gross employment costs.</p>
4.	<p>By appointment of the project staff on a real cost basis with fixed percentage of time worked per month is “Civil contract” a possible option?</p>	<p>No. The eligible options for appointment of the project staff on a real cost basis with fixed percentage of time worked per month are signature of labour contract or civil service employment.</p>
5.	<p>What do you mean under civil service employment?</p>	<p>We refer to the provisions of the “Civil Servant Act” which is applicable to persons employed in the administration.</p>
6.	<p>How can a civil servant be recruited as a project team member with the relevant remuneration?</p>	<p>A person who has been already employed in the administration under the provisions of the “Civil Servant Act” could implement functions of project team member if the Order of its appointment is amended through assignment of the relevant obligations. This could be done through full-time employment or part time within the established working time of the expert, in accordance with the planned budget. Assignment of additional obligations to the civil servants</p>

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		beyond their established working time (8 hours a day) is not applicable under the Programme.
7.	Is it required the project team members to be full-time employed when the staff is appointed on the flat rate basis?	Yes. Appointment on a flat rate basis requires full time employment of all project team members.
8.	In reference to the absorption of funds under Budget line 1 is it eligible an external organization for the management of the project to be hired?	No.
9.	In connection with the absorption of costs in BL1-Staff Costs, is it possible to hire an external company for project management? If so, on what type of contract the external company will appoint the employees?	No, it is not admissible to hire external company for project management.
10.	If a person is employed hourly (e.g. at 2 hours per working day), how should it be reported monthly – by the number of working days in the month, or by the budgeted in the application form?	Only real working hours could be reported on a real cost basis and only as described in the project budget, part of the application form.
11.	Is it possible for the members of the nominated team to be reported on a fixed percentage of the gross employment cost if it is budgeted on an hourly rate basis?	No, it is not possible – all team members must be paid as described in the PP's project budget
12.	Is it possible for the project team members to work remotely as per national legislation rules?	Yes.
13.	Is it eligible to engage the project team member on the basis of the service contract “Ugovor o delu”?	The service contract “Ugovor o delu” is not acceptable in any case for engagement of project team members.
14.	If the project team member is engaged on the real cost basis with 30% of his working time per month under the project, by contract for additional work “Ugovor o dopunskom radu”, what documentation should be submitted to the First level control?	All documents proving the engagement of project team members, which include the nomination of the project staff, contract, the tax application, timesheets (if applicable), evidence that the salaries are paid and the salary calculation. The financial and accounting documentation which should be provided by the Beneficiaries to the controllers is listed in point 7.9. “Financial and accounting documentation of the project” of the Project Implementation Manual.

Public Procurement	
15.	<p>In the project, we have set the need for a wide range of external experts for the different project activities - forest scientists, foresters, specialists in forest ecology and plants, dendrologists, botanists (please, see BL 4.10 of PP1). We would like to use the services of the leading Bulgarian experts in these specialties (professors, associate professors, doctors of science, experts with rich scientific and practical experience). In addition to their professional qualifications, these experts need to meet additional requirements related to the specificity of our project activities. The geographic area defined by the project should be very well known to the experts because they will carry out specific activities related to training and outdoor field work of youngsters in forests. From the point of view of the project relevance and the safety of the young people, the forest areas where they can get acquainted with rare and protected species, dangerous forest pests, a variety of forest ecosystems and habitats, etc., must be identified. Our preliminary studies show that the project area is best studied in relation to forest ecology and forestry (presence of Scientific Research Base, published scientific papers on the topics, implemented scientific and applied projects, etc.) by the scientists of the Forest Research Institute – Bulgarian Academy of Sciences. They are partner organization in the project (PP3). We would like to ask you:</p> <ul style="list-style-type: none"> - Could we use the services of leading experts working at the Forest Research Institute – BAS? - How we should hire them (for example individually, by Civil Contract with each of them)?
	<p>Contracting of employees of the partner organizations as external experts is eligible cost under BL 4 “External expertise and service costs”, for the Bulgarian partners only, in case the procurement principles and rules stipulated in Chapter 3, Title VII, Part I of Regulation (EU, Euratom) 2018/1046 and Chapter III of Annex I of the same regulation and the Practical Guide to Contract Procedures for EU External Actions (PRAG) are observed. This means that in the process of preparation of the Procurement plan and implementation of procurement procedures you should respect the set thresholds for each thematic group of expenditures.</p> <p>Please, have in mind also that as per the Programme rules, in case there are two or more single tender procedures for which Project partner intends to invite and award contracts to one and the same company/expert, the procedures shall be planned as one. If the combined amount of these procedures reach the threshold of Simplified procedure, this should be reflected in the Project Procurement Plan.</p> <p>Finally, please bear in mind that an expert engaged to perform activities related to project management as part of the project team member under the project could not be hired as external expert.</p>

	- How should this be reflected into the Procurement Plan?	
16.	<p>25 youngsters from Bulgaria (aged 13-18) will be included in each project activity. Each time they will be different youngsters - from different schools, different social and ethnic backgrounds, different levels of education, with different educational interests and needs, etc. In the project we have set one moderator from Bulgaria for each activity (please, see BL 4.10 of PP1). His main tasks are facilitation of communication between the youngsters and the relevant external experts involved, and providing support for the smooth running of their common workflow. In this regard, we would like the moderator for each activity to be a different person, according to the profile of the participating youth group and coming from their environment. In this way we believe he/she will be able to perform his/her functions in the best way. In this regard, we ask for your consultation:</p> <ul style="list-style-type: none"> - How should we hire the individual moderators (for example, with Civil Contracts with each of them)? - How should this be reflected into the Procurement Plan? 	<p>As regards to the amount planned under budget sub-line 4.10 for moderators for the project activities, please have in mind that for expenditures less or equal to 2 500 Euro (without VAT), a payment may be made against invoice without prior acceptance of a tender. This concerns only expenditures which cannot be merged with other similar expenditures and should be properly reflected in the Project procurement plan; otherwise you should respect the set thresholds for each thematic group of expenditures. In this particular case, the engagement of experts must respect the applicable national legislation and all documentary evidences should be properly collected.</p> <p>If there is a need of small content change under the project, please refer to p. 8.1. of PIM and section IX of Annex 15 User manual for Beneficiary portal.</p>
17.	<p>In the project, we have set the need for a wide range of external experts for the different project activities including foresters, ecologists, entomologists, phytopathologists and GIS-expert (please, see BL 4.10 of PP3). In that regard, for the execution of the project we will need the services of an expert team from the FRI. Our motives are the following:</p> <ul style="list-style-type: none"> - The experts from the FRI have the needed qualification, experience and acknowledgement of the scientific community in our country and abroad which is prerequisite for the qualitative execution of the specific activities. 	<p>Contracting of employees of the partner organizations as external experts is eligible cost under BL 4 “External expertise and service costs”, for the Bulgarian partners only, in case the procurement principles and rules stipulated in Chapter 3, Title VII, Part I of Regulation (EU, Euratom) 2018/1046 and Chapter III of Annex I of the same regulation and the Practical Guide to Contract Procedures for EU External Actions (PRAG) are observed. This means that in the process of preparation of the Procurement plan and implementation of procurement procedures you should respect the set thresholds for each thematic group of expenditures.</p>

<p>- They have made in-depth research of the CBC project's specific area (documented in scientific publications, forest management plans, local and national projects, etc.) The most interesting and important habitats for the students as well as valuable species, plant diseases and pests, etc. can be easily identified with the help and support of these experts.</p> <p>- Their detailed knowledge of the terrain specifics, will save us time for further researches, will guarantee the safety of the students and will develop and upgrade the ecological knowledge and region problems.</p> <p>In light of the foregoing, we would like to ask whether PP3 is eligible to employ expert scientists from the FRI for the implementation of the project activities.</p>	<p>Please, have in mind also that as per the Programme rules, in case there are two or more single tender procedures for which Project partner intends to invite and award contracts to one and the same company/expert, the procedures shall be planned as one. If the combined amount of these procedures reach the threshold of Simplified procedure, this should be reflected in the Project Procurement Plan.</p>
<p>18. The Lead partner has the obligation to perform a Local open tender for the supply of joint integrated system for early warning of floods, which is the main activity under the project. Given the complexity and the technical specifics of the equipment to be supplied, we find it essential to assess the technical quality of the offers, not only the lowest price. The tender documentation is in the process of being elaborated, so we would like to know if it is admissible to include a methodology for evaluation of the offers on the basis of the best quality/price ratio, where technical indicators will be assessed as well.</p>	<p>According to p. 4.3.3. Selection and award criteria – supplies of PRAG the award criterion to technically compliant tenders is price or, in exceptional cases mentioned in Section 4.3.3.3., the best price-quality ratio.</p> <p>Please, note that in accordance with 4.3.3.2. Supply contracts including ancillary services where a supply contract includes ancillary services (such as after sales services and/or training), the technical evaluation should take into account the quality of such services on a yes/no basis. All noncompliant tenders having been eliminated, the contract is awarded to the tenderer offering the lowest price for both equipment and ancillary services together. According to p. 4.3.3.3. the evaluation may be carried out according to the best price-quality ratio criterion only for supply contracts which include particularly significant ancillary services, and only after prior approval.</p>
<p>19. In connection with the implementation of a project, in our role of LP we are about to announce a public procurement procedure for the supply of equipment worth EUR 150,000 related to the implementation of the envisaged activities. One</p>	<p>According to PIM, section Procurement publications, p.31, for Local open tender procedures for supply / works the Contracting Authority should publish: Complete tender dossier, Contract notice (annexes C2 or D2 of the PRAG), Summary Contract notice (annexes C3 or D3 of the PRAG) and Contract award</p>

	<p>of the requirements of the program and a condition for carrying out the selection procedures for contractors, in accordance with the Practical Guide to Contract External Action Procedures (PRAG) and the Beneficiary's Guide, is to declare the procedure in the Official Journal or equivalent.</p> <p>Upon a letter sent by the LP to the Editor-in-Chief of the State Gazette, we received a reply (we enclose the request and the received answer) that the State Gazette does not publish public procurement notices pursuant to Article 7, paragraph 1 of the State Gazette Act, where a law or regulation requiring the relevant material to be promulgated in the State Gazette is required.</p> <p>In this regard, please provide us with guidance as to where we can publish the necessary procurement documentation, since the State Gazette does not have a regulatory equivalent.</p>	<p>notice (annexes C9b or D9b of the PRAG) in all appropriate media, in particular on the Programme's web site and the grant Beneficiary's website (in its role of Contracting authority). Additionally, Summary Contract notice should be published in official journal of the partner country or any equivalent media in which the action is being carried out.</p> <p>The compliance with the requirement for publication in ' official journal of the partner country or any other equivalent media ' is present when the contract notice is published at national level in accordance with national legislation and the basic standards of publicity and advertising of contracts are met.</p> <p>Publicity means are appropriate where the contract notice is published in a way as to ensure that an interested economic operator has access to relevant procurement information before awarding it so that he may be able to submit a tender or express his interest in participating in the award of the contract.</p>
20.	<p>For expenditure for service amounted 700 Euro (for internet research) which is not to be procured is "Civil contract" an acceptable option?</p>	<p>All expenditures for which it is confirmed that it is not necessary to be grouped in tender procedures in the approved Project procurement plan, could be realized in a manner convenient for the organization ensuring the relevant supporting documents proving that the service is delivered.</p>
21.	<p>Could consortium of natural persons apply at service procurement procedure? If yes – what type of contract should be signed?</p>	<p>The eligibility of the candidates and their legal status are stated in the Tender dossier. In line with the PRAG rules and depending on the type of the procurement procedure there are different options, one of which is the participation of natural persons. Our advice is to examine carefully if in the templates of PRAG applicable to the relevant type procurement procedure such option is provided?</p>
22.	<p>Our organization is a Lead partner under project of the Second Call for proposals and soon will start the implementation of another project as a project partner. Is it required the Project Procurement Plan (PPP) to be cumulative for the both projects</p>	<p>In case the implementation of the second project starts when the first project is still not ended, then the type of the procurement procedures under the budget of the second project should be planned cumulating the amount of the similar expenditures under the both projects. For example: If under the first project</p>

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	taking into consideration that the procurement procedures under the first project have been concluded in 2019?	there is a signed contract for “Organization of events” amounting 16 000 Euro and in the budget of the second project are included similar expenditures for 12 000 Euro and the implementation of the both projects is overlapped, then the type of the second procurement procedure for “Organization of events” should be simplified procedure for service (because 16 000 Euro + 12 000 Euro is more than the threshold for simplified procedure), but the planned amount should be 12 000 Euro.
23.	For costs between EUR 100,000 and EUR 20,000 provided for delivery, is it necessary to announce a tender for the purchase of the equipment?	Yes, it is mandatory.
24.	If we plan to award more than one contract to the same bidder/contractor, is it mandatory to be done as one procurement? What happens if we conduct procurement and select a contractor and later, by coincidence, award it another contract under a different procedure within the project? It is assumed that the bidder was selected according to the Programme procurement procedure rules and according to approved Procurement Plan, and this means that at the time of awarding the first contract, we had no knowledge about the intention to hire the same contractor again. What should be done in this case?	In case of two or more single tender procedures for which the Project partner intends to invite and award contracts to one and the same company, the procedures shall be planned as one, within the Project Procurement Plan. In case during the project implementation Project partner decides to award two or more contracts to one and the same company/expert, and if the combined amounts of these procedures reach the threshold of Simplified procedure, an amendment of the PPP should be requested for the second tender procedure.
Financial management and reporting		
25.	In which cases it is required to take a short video (up to 5 minutes) for a proof in the financial reporting stage and which financial and accounting documents should be kept?	By the verification of expenditures for “Rent of hall for events” it is required to take a short video (up to 5 minutes) during each day of the event. It is recommended to take a short video for all events organized within the project, covering all parts of delivered services (catering, rent hall and equipment), as well as all participants for each day of the organized events.

26.	When the workshops and other events are organized online is it also obligatory to take a short video of the event?	During organization of online events it is recommended to take audio and video record, print screens showing the number of the participants for each day of the online event.
27.	By the verification of expenditures do the FLC controllers also use the Guidelines for First Level Control published by Managing Authority or only National level procedures for First level control for Serbia Interreg Cross-border Programme are respected, and where we can find checklists for conducted public procurement, which were part of previous versions of the Guidelines?	Both guidelines are used by the FLC controllers. The checklists are not available for public use, they are part of the MIS, visible only to the First level controllers. However, for personal control, you can use the checklist for conducted public procurement published with previous versions, due to the fact that substantial changes are not made.
28.	When conducting a single tender procedure what is a sufficient level of provided explanation within the Negotiation report on how the market research was done? Is it sufficient to conduct market research within 3 or 5 companies on the basis of previous experience or we should conduct the research in wider market and provide the explanation of the whole process within the Negotiation report?	When conducting market research and determining how many companies and exactly which of them to be included in the research, it is important to be cautious about how you choose and include those companies in this process. When preselecting which companies to be included in the market research it is important to be aware of the nature of the work of these companies, previous experience (if any), and the whole process of the selection and all these steps should be described within the Negotiation report.
29.	Is it eligible to use a private vehicle for the needs of the project and how the travel costs are calculated in this case?	In case that at your organization there is a rulebook for the calculation of expenses incurred on business trips and it allows the usage of a private vehicle for official/business purposes, it is possible to use it. The calculation of costs is done in accordance with the national rules and regulations of your institution, up to the maximum costs provided in your budget.

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30.	Do the Joint Secretariat and the Ministry of European Integration report the project to the Tax Administration for the need of VAT exemption for the Serbian beneficiaries -?	The Ministry of European Integration is responsible for notifying the Tax Administration for the signature of new Subsidy contract and also if any change within the project during the implementation has occurred. The obligation of the Serbian partners is to register themselves in the electronic system register, within the electronic system of the Tax Administration.
31.	To whom the PPO PDV form and additional documentation for tax exemption of the Serbian partners should be sent?	All documentation needed for the VAT exemption of the Serbian partners should be sent to the e-mails given in the presentation for VAT exemption, minimum three weeks before VAT exemption is needed to be done.
32.	Is there a specific requirement the payments for remuneration of the project staff to be made cash or by bank transfer?	There is no specific requirement on the Programme level regarding this. The applicable national rules should be respected.
33.	Is it eligible to report fuel expenditures for travel with two particular cars in case the budget is not exceeded?	It depends on the description of the relevant expenditure provided in the Budget line (BL). If the number of the travels and the number of vehicles is expressly stated in the description of the BL, the requirements of the approved budget should be respected. In case there is no such specified requirement and the description includes only information on the relevant travel from point "A" to point "B" and the respective number of kilometers, there is no restriction for the number of vehicles to be used.
34.	Is there a specific requirement the daily allowances to be paid cash or by bank transfer?	The payment of the daily allowances should be made in accordance with the approved practice in the organization, ensuring the relevant supporting documents.
35.	Could you explain the advance payment?	The Lead partner may request advance payment no later than 45 days after the Subsidy contract enters into force. The total amount of the advance payment is up to 20% of the sum of the EU and the Bulgarian national co-financing. For soft measures projects, the MA transfers it in one installment after receiving request for advance payment. For investment projects, the MA transfers advance payment in two instalments: 10% after receiving a request for advance payment and another 10% after one of the project partners awards a contract for investment activity.

36.	Can the LP request FLC for all PP's on the project?	Yes, the LP can request FLC for all Project partners, respecting the provisions of the subsidy contract.
37.	Is it required the LP to request payments for all PP's, or PP can request payments too?	Only the LP can request payments.
Modifications		
38.	Our staff costs will be at Real rate. In table BL1-Real staff cost, the unit rate for the Accountant is 1.16 euro/per hour, but this is under the minimal salary in Bulgaria. According Bulgarian law we cannot hire our accountant on this unit rate. Is it possible to reduce the Units and increase the Unit rate while the Total is kept unchanged?	It is the sole responsibility of each project partner to fully respect the requirement of the applicable national labor legislation as regards to employing of the project management teams' experts. In case LP requests a project modification, the procedure to follow is detail described in p. 8.1 of PIM and section IX of Annex 15 User manual for Beneficiary portal.
39.	We were reminded that the budget within the project cannot be used for the rehabilitation of the facilities, where the equipment will be located, but now we understand that there is such possibility. How can we fix it in the project?	Due to the fact that the Subsidy contract is not signed yet and that project proposal does not envisage the construction activities, there is no possibility to amend the approved project budget at this stage.
Beneficiary portal		
40.	Where should the supporting documents in the form of evidence for the execution of the activity be attached to the Project Progress Report should be attached?	Prepare an archive file with all the required proofs for the implemented activities within the reporting period as per the requirements of PIM, together with the scanned and signed Project Progress Report and submit it to the JS. Detailed technical instructions can be found in Annex 15 "User manual for beneficiary portal" of PIM.
41.	Can the beneficiaries who have not yet signed the Subsidy contract access the Beneficiary portal?	Only the Lead partner has access to the Beneficiary portal and the interface of the beneficiary portal is not the same in the contracting and within the implementation stage.
42.	Can the email address, which is used for access to the portal be changed, and could it be different from the one in the application form?	Modifications concerning the administrative part of the project (change of bank account, contact details, address for communication, legal representative, changes in the persons part of the project team, etc.) require only notification to the MA/JS within 15 (fifteen) days following the change.
Project implementation		

43.	During November 2019 we have participated in negotiation process with the Managing Authority, but still we have not signed Subsidy contract. When we have to expect the signature of the Subsidy contract?	The Subsidy contracts are prepared in current order in reference with the existing availability of funds under the particular Programme Priority Axes. Amendment of the Programme concerning part of the Priority Axes, which should be approved by the European Commission is expected. Our advice is to stay in constant communication with the representatives of the Managing Authority which have conducted the negotiations with your organization and are responsible for the signature of the Subsidy contracts. The principle is that for all Subsidy contracts which are expected to be currently signed the Managing Authority has established contact with the project partners and has insisted documents to be applied to the relevant contracts.
44.	Due to the pandemic of COVID-19 the conduction of the Festival of Culture of the Youth, which is regularly held in August, will be probably canceled and apparently cannot be held within the duration of the project which ends in May 2021? What happens then?	According to Article 8 and 9 of the Subsidy contract you have right to submit Request for suspension of the project implementation to the Managing Authority in relation with the present situation and force majeure circumstances. Another option is to submit Request for extension of the implementation period to the Managing Authority up to the maximum project duration for the respective specific objective set in the Application package.
Communication and visibility		
45.	Should be prepared a communication plan, including and visualization plan for each project?	Preparation of communication plan is advisable when the project foresees a sufficient degree of complexity and a variety of communication and publicity activities. There are projects that are strongly focused in this area with many activities, types of communication channels that are used. In these cases, in order to achieve the best project visibility results the Beneficiaries are strongly advice to develop a project Communication Plan. In general, you have to consider the need of high level of coordination of the communication and publicity activities.
46.	We have planned paid publications and reports. Is it obligatory the project number to be included or the names of the project and the Program are enough?	It is mandatory to be included the name of the project. You can include the project number if you have enough space and the material allows. Please keep in mind that the five mandatory visibility elements, in general, are: EU flag;

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		<p>Programme logo; Project name (and project logo - if available); The co-financing statement; The content disclaimer.</p> <p>The logos of the Project partners could be included in the promotional materials but their size must not exceed the size of EU Logo.</p> <p>Rules, recommendations and best practices related with communication and visibility of the project are explained and illustrated with practical examples, included in the Programme's Communication and Visibility Guidelines (Annex 10 of the PIM).</p>
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