

## ENVIRONMENT PROTECTION AND CLIMATE CHANGE PROGRAMME

### Clarification of questions received regarding the "Small grant scheme for marine waste reduction measures" under Outcome 2: "Marine Waters Assessment, Monitoring and Management System" of the Environment Protection and Climate Change Programme

Applicants may submit their questions to the following e-mail: [eea@moew.government.bg](mailto:eea@moew.government.bg) or through the Programme's website. The questions and answers will be published on the Programme's website, part of the EEA FM Single Information Portal for Bulgaria, as well as in EUMIS 2020. Questions may be asked no later than 21 days before the deadline for project proposals submission. The Programme Operator (PO) answers the questions asked no later than 14 days before the deadline for project proposals submission.

The clarifications given in respect of the Call do not express an opinion on the quality of the project proposal and are binding on all Applicants. In order to ensure equal treatment of Applicants, the PO shall not give prior opinions on the compliance of an application or an applicant with the eligibility requirements.

The replies represent the official opinion of the Programme Operator and must be taken into consideration when submitting the project proposals by the Applicants.

	Individual / Legal entity submitting the question, date of receipt	QUESTION	ANSWER
1.	Iliyana Georgieva February 11 <sup>th</sup> , 2020	<p>Item 1 "Deadline for submission of project proposals and working language" states that:" 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 is identical in both languages."</p> <p>1.1. Which language should prevail when submitting project proposals - English or Bulgarian?</p> <p>1.2. The EUMIS 2020 electronic system does not provide for the attachment of .pdf documents in Bulgarian, if the project proposal is submitted in English. Please specify how the project proposal in both languages (Bulgarian and English) is submitted technologically - as two separate Application forms or as one Application form, to which the documents completed in both languages are attached?</p>	<p>According to item 23. "List of documents to be submitted at the application stage" Applicants should fill in the Bulgarian language form in EUMIS 2020 and the English translation shall be presented as an attachment in Section 12 of the Application Form (from the drop-down menu, select the type - English Application Form), signed by the person entitled to represent the Applicant, or by a person authorized by him/her.</p> <p>EUMIS 2020 provides the opportunity to fill out an Application form in English, which can then be saved in .pdf format through printability.</p>
2.		<p>Item 6 "Purpose of the Call and stakeholders" states that the Call is targeted towards the municipalities, located in the Black Sea region of the Republic of Bulgaria.</p> <p>Is a municipality located in the Varna region and connected to the Black Sea by a lake whose waters are directly connected to the sea eligible?</p>	<p>According to item 9 of this Call, eligible applicants are municipalities from the territory of the Black Sea region of the Republic of Bulgaria.</p> <p>The purpose of the PA and the Donor Programme Partner is not to limit the municipalities to their geographical location on the Black Sea, but according to the activities that the applicants will propose.</p> <p>I.e. even if the municipality is geographically landlocked on the Black Sea, it is an eligible Project Promoter as long as the activities contribute to the purpose - reducing and preventing marine litter.</p>

3.	Maria Burulyanova February 18 <sup>th</sup> , 2020	<p>One of the indicators you noted is the number of "Professional staff trained". Could you explain what we should mean by "Professional staff" or are the participants in "education and awareness" campaigns considered?</p>	<p>The indicator set is in accordance with the EEA and Norway Grants 2014-2021: Core indicator guidance (the document can be found at <a href="http://eeagrants.org">eeagrants.org</a>). According to the Core indicator guidance 2014-2021, the definition of professional staff is a "single person with secondary education, or above this level", trained to reflect the needs of expert personnel in the marine environment.</p>
4.		<p>Separate indicators of the Programme are: Number of education campaigns developed and Number of Awareness raising campaigns carried out? We would like you to clarify the difference and subject matter of the campaigns described.</p>	<p>Indicators set are in accordance with item VIII "Terms" of the EEA and Norway Grants 2014-2021: Core indicator guidance (the document can be found at <a href="http://eeagrants.org">eeagrants.org</a>). The indicators are linked to the eligible activities described in item 11 of the Call. The "Number of education campaigns developed" indicator refers to the development and implementation of educational campaigns regarding sources of pollution of marine waters and initiatives to reduce them. The "Number of Awareness raising campaigns carried out" indicator refers to the implementation of awareness-raising campaigns regarding initiatives taken to reduce marine pollution.</p>
5.	Iliyana Georgieva February 24 <sup>th</sup> , 2020	<p>In connection with the announced Call for Proposals "Small grant scheme for marine litter reduction measures", Annex D5 states that:</p> <p>1. The data controller is the Ministry of Environment and Water. Phone number for contact with the Data Protection Officer:.....</p>	<p>The Data Protection Officer is Zaharin Penov. Phone number for contact with the Data Protection Officer: 02/940 65 20.</p>

6.	Bistra Dimova March 4 <sup>th</sup> , 2020	<i>Is the purchase of a road freight transport vehicle with a load capacity of up to 3.5 tons eligible under the Programme, if the same is an indivisible and necessary condition for achieving project results?</i>	<i>The Call for proposals falls within the scope of Commission Regulation (EU) No 1407/2013 on de minimis aid, under which the grant granted is not used for the acquisition of road transport vehicles, and therefore the purchase of a road freight vehicle is not an eligible cost under this Call.  Moreover, the equipment does not include motor vehicles under national law.</i>
7.		<i>Is the purchase of a road freight transport vehicle with a load capacity between 3.5 tons and 7 tons eligible under the Programme, if the same is an indivisible and necessary condition for achieving project results?</i>	<i>The Call for proposals falls within the scope of Commission Regulation (EU) No 1407/2013 on de minimis aid, under which the grant granted is not used for the acquisition of road transport vehicles, and therefore the purchase of a road freight vehicle is not an eligible cost under this Call.  Moreover, the equipment does not include motor vehicles under national law.</i>
8.		<i>Regarding the instructions for authentication of documents with electronic signature, please clarify whether it is necessary to sign documents provided by partners with an electronic signature of the Project Promoter / Lead Partner, such as the following:</i>  <ul style="list-style-type: none"> <li>- <i>Certificate of Good Standing of Partner(s);</i></li> <li>- <i>Register transcript, certifying the legal status of partners from Donor States;</i></li> <li>- <i>A document from which it is visible who is the legal representative of the partner organization.</i></li> </ul>	<i>According to item 22 of the Invitation and the footnote, 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). 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.</i>

9.		<p><i>When applying, does the project partner also submit a VAT declaration in accordance with Annex D3? Does this also apply to partners from Donor States?</i></p>	<p><i>According to the text of the declaration, it should be completed by the Applicant and the Partner (s) regardless of the nationality of the Partners.</i></p>
10.		<p><i>When applying, does the Project Partner submit a Declaration of irregularities - as per template, Annex D4. Does this also apply to partners from Donor States?</i></p>	<p><i>According to the text of the declaration, it is submitted on behalf of the Project Promoter (both the Applicant and the Partner(s) are potential beneficiaries of the project). The declaration should be completed by the Applicant and Partner(s).</i></p>
11.		<p><i>Does the Partner necessarily have to complete and submit a Declaration of use of the purchased equipment as per template, Annex D6, since the project proposal does not envisage the purchase of equipment by him?</i></p>	<p><i>According to the text of the declaration, it should be completed by the Applicant and Partner(s).</i></p>
12.		<p><i>Does the Annex D11 Experts Profiles only apply to the members of the team to be assigned for project management (manager, coordinator, accountant) or the experts in the "services" activity - lecturers and trainers who will run campaigns and trainings are also included? Do lecturers / trainers need to be identified in advance, at the Application stage, and should their CVs be submitted with the declaration?</i></p>	<p><i>The Applicant should complete Document D11 "Experts Profiles" for the experts included in Section 9 "Project Team" Application Form in the EUMIS 2020. According to item 23.14 of the Application Guidelines, the following should be submitted: "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."</i></p>
13.		<p><i>When applying, should a partner from Donor States also submit Annex D14 Declaration under Act On Counteracting Corruption And On Seizure Of Illegally Acquired Property, since it is a template drawn up under Bulgarian legislation?</i></p>	<p><i>According to the text of the declaration, it should be submitted by the person, representing the Applicant and the Partner.</i></p> <p><i>The declaration is submitted by the Applicant and the Partner (s) from the Republic of Bulgaria.</i></p>

14.	Tsveta Miteva March 9 <sup>th</sup> , 2020	<p><i>When persons are employees of the Applicant / Partner - to prove the hourly rate set in the budget, can we present an official notice from the employer on the person's insurance income for the last 12 months?</i></p>	<p><i>As described on pages 18-19 in item 16 Eligible direct costs of the Application Guidelines:</i></p> <ul style="list-style-type: none"> <li><i>• 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;</i></li> <li><i>• 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.</i></li> </ul> <p><i>The document attached should certify the amount of the hourly rate within the Applicant's/ Partner's organization itself to an employee in a position identical or similar in activity to that of the expert in the project proposal, clearly demonstrating the value of the remuneration. This may be a document for the recruitment / appointment of a person under employment or employment relationship by the Applicant / Partner - employment contract and annexes thereto (if applicable) and / or an appointment order.</i></p>
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15.		<p>When persons are NOT employees of the applicant / partner - what is the maximum allowable hourly rate that can be set in the budget and is it necessary to submit any documents for these persons.</p>	<p>If there is a position in the Applicant's / Partner's organization identical or similar in activity to that of the external expert in the project proposal, the Applicant / Partner may submit a document for the recruitment / appointment of a person under employment or employment relationship by the Applicant / Partner - employment contract and annexes thereto (if applicable) and / or an appointment order for the relevant position in the Applicant's / Partner's organization.</p> <p>The Applicant / Partner may also provide a justification based on data from the official NSI statistics on average monthly salary of employees at national level for the last quarter before submission of the project proposal, for which data on the following economic activities are published: Professional Activities and Research, or Administrative and Supporting Activities, or Water Supply: Sewerage, Waste Management and Recovery.</p> <p>Data are published and available at the following address: <a href="http://nsi.bg/">http://nsi.bg/</a></p>
16.		<p>Are employee and employer insurance eligible cost under the project?</p>	<p>As described on page 18 in item 16 Eligible direct costs of the Application Guidelines:</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>

17.	Tsveta Miteva March 10 <sup>th</sup> , 2020	<i>Is it acceptable for a Project Partner (s) to hire persons under civil contracts to fulfil the project objectives? Is there a limit on the amounts for these civil contracts?</i>	<p><i>The Application Guidelines do not limit the type of contract to hire the persons implementing the project. Applicants consider that the financial statement should give clear information on how the cost is formed.</i></p> <p><i>Applicants should familiarize themselves with the information provided in the Guidelines for Budget Completion annexed to the Documents for Information package of this Call.</i></p>
18.		<i>At the time of application, the Applicant (municipality) will not have a free de minimis available. Will it be acceptable to apply under the procedure if only project costs for partners are included in the budget of the project proposal and the activities to be carried out by the Applicant are of zero value (i.e. entirely at the Applicant's expense)?</i>	<p><i>According to the Application Guidelines page 13, item 10. Eligible partners "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 (to describe the role of partners in the project proposal as well as the budget allocation)."</i></p>



19.		<p>On page 41 of the Application Guidelines is stated that "6. Document for registration" should be submitted. Is this document the VAT registration certificate issued by the National Revenue Agency?</p> <p>If not, please clarify what document is required to be submitted.</p> <p>Is such a document also required to be submitted for the Project Partner?</p>	<p>On page 41 of the Application Guidelines, it is indicated that an ex officio check of the documents in public registers is possible. Documents should only be submitted in cases where no ex officio check is possible in public registers.</p> <p>Such a document may be a Certificate of Good Standing. This applies to both the Applicant and the Partner. For partners from Donor States, the registration documents are described in item 24 of the Application Guidelines.</p>
20.		<p>Please clarify whether the Project Partner should complete the declarations under items 23.5 to 23.10 and 23.13 to 23.15 and 23.18 from the list of documents on page 32 of the Application Guidelines.</p>	<ul style="list-style-type: none"> <li>• 23.5. VAT Declaration template Annex D3 - According to the text of the declaration, it should be completed by the applicant and the partner (s). There is no obstacle for a foreign person to declare that he is not registered under the VAT Act in Bulgaria.</li> <li>• 23.10. Financing Declaration for organizations under the Non-Profit Legal Entities Act Annex D8 - According to the text of the declaration, it should be completed by the Applicant and the Partner (s).</li> <li>• 23.13. Experts profiles Annex D11 - The Applicant should complete Document D11 Experts Profiles for all experts, whether they are of the Applicant or the Partner included in section 9 "Project Team" of the Application Form.</li> <li>• 23.15. Declaration under Act On Counteracting Corruption And On Seizure Of Illegally Acquired Property Annex D14 - According to the text of item 1 of the Declaration it should be completed only by the Applicant. The circumstances described can only be declared by an Applicant.</li> <li>• 23.18. Verified Statement of revenue and expenditures and Balance Sheets by the respective responsible persons - for the past three financial years ended from the date of publication of this Call - (2018, 2017, 2016) - According to the text, the documents are only submitted by the Applicant.</li> </ul>

21.	Temenuzhka Spasova March 11 <sup>th</sup> , 2020	<p><i>With regard to this project, I would like to ask whether NGOs that are registered in another territory (not in the territory of the Black Sea municipalities), but their main activity is water monitoring and sustainable development can apply.</i></p>	<p><i>According to item 9 Eligible Applicants of the Application Guidelines under this Call, eligible applicants are municipalities from the territory of the Black Sea region of the Republic of Bulgaria. According to item 10 of the Application Guidelines, NGOs are eligible partners.</i></p>
22.	Bistra Dimova March 18 <sup>th</sup> , 2020	<p><i>With regard to the preparation of a project proposal by the Municipality of Varna under the "Small grant scheme for marine waste reduction measures" under Outcome 2: "Marine Waters Assessment, Monitoring and Management System" of the Environment Protection and Climate Change Programme, as well as in connection with the Decision of the National Assembly of March 13<sup>th</sup> 2020 on the declaration of a state of emergency, please provide us with answer whether an extension of the application deadline will be announced.</i></p> <p><i>Due to the emerged epidemic situation and the anti-epidemic measures introduced on the territory of the country, on the grounds of Art. 12 of the Rules on the Organization and Activities of the Varna Municipal Council, Art. 63 of the Health Act and in relation to Orders: No 1062 / 13.03.2020 and Order No 1063 / 14.03.2020 of the Mayor of Varna Municipality regarding the registered cases of COVID-19, a decision was made to suspend the meetings of the standing and temporary committees of the Varna Municipal Council, as well as the established working groups, and also to suspend the scheduling of meetings of the Varna Municipal Council. In this situation, we are unable to submit a Decision of the Municipal Council for the application under this Call, as well as the accompanying decisions from a meeting of the Municipal Council related to the partnership, within the specified deadline.</i></p>	<p><i>On March 27<sup>th</sup>, 2020, the deadline for applying under the "Small grant scheme for marine waste reduction measures" under Outcome 2: "Marine Waters Assessment, Monitoring and Management System" of the Environment Protection and Climate Change Programme, financed by the European Economic Area Financial Mechanism, was extended to May 29<sup>th</sup>, 2020.</i></p>

23.	Anastasiya Lyubenova March 30 <sup>th</sup> 2020	<p><i>Hello, regarding the completion of the Application form under the "Small grant scheme for marine waste reduction measures" under Outcome 2: "Marine Waters Assessment, Monitoring and Management System" of the Environment Protection and Climate Change Programme, financed by the European Economic Area Financial Mechanism, in section 12.</i></p> <p><i>"Attached electronically signed documents" from the drop-down menu I nowhere to find where to attach the Municipal Council Decision. Could you please clarify?</i></p> <p><i>Successful day!</i></p>	<p><i>In section 12. "Attached electronically signed documents" of the EUMIS 2020 Application form, the option for attachment of a "Decision of the Municipal Council" is available in the drop-down menu.</i></p>
24.	Tsveta Miteva April 1st, 2020	<p><i>The Applicant under the procedure will be a Municipality. One of the project activities envisages the Municipality to purchase an asset that will be used only for the purposes of the project and will not generate revenue from it. In addition, there are project management costs that again do not generate revenue. In this regard, can it be considered that the purchase of an asset and the management costs do not constitute State aid and are not subject to the De minimis aid regime?</i></p>	<p><i>The decision as to whether project costs fall into the De minimis aid regime depends on the nature of the activity and not on the status of the recipient under national law. The use of an asset solely for the purpose of the project and the lack of revenue in its specific application is also not a sufficient condition to classify the recipient's activity as non-profit. The value of the asset after completion of the project may be considered an advantage in favour of the recipient. In addition, it is important whether the financing would distort competition and trade between Member States, given that the financing activity is offered by market entities and whether it could be of interest to those from other EU countries.</i></p> <p><i>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 two types of activities can be clearly separated so as to effectively avoid cross-subsidization. In this sense, it may be possible to treat some of the project activities as non-economic and others to be considered as de minimis aid. For example, the cost of remuneration for a team that will manage the administration and account for the project could be separated from the costs of remuneration of persons engaged in the operation of assets intended for economic activity.</i></p>

25.		<p><i>How should we describe the cost of audit and visualization - as separate activities in item 7 "Implementation plan / project activities"? Should the audit be one, common for the project, or there should be separate audits for the Project Promoter and each of the Partners?</i></p>	<p><i>Item 11 of the Call describes the eligible activities under this small grant scheme. Audit refers to project management activities as an activity necessary for the successful implementation of the project. Visualization is part of publicity activities.</i></p> <p><i>The audits carried out under the project should be separate for the Project Promoter and the Partners. In accordance with the General terms and conditions for granting the grant (attached to the Documents for Information folder), the Partnership Agreement between the Beneficiary and the Partner should necessarily include an Audit Clause for the project activities, including the audit of the Project Partners.</i></p>
26.		<p><i>If we do not have a Partner from the Donor States, but we plan to use good practices from those countries that we know from previous projects and other information sources, should we fill in item 11 "Bilateral cooperation" and would we receive points under Indicator II "Presence of partnerships under the project", item 5" The project will be implemented through the implementation of good practices by Donor States"?</i></p>	<p><i>The answer to this question would be an opinion, and the clarifications given on the Call should not include opinions on the evaluation process of project proposals. The Evaluation Committee decides on the evaluation of project proposals. Please note that a final opinion on the evaluation of an Applicant will be taken by the Evaluation Committee, which will have all the information on the project proposal.</i></p>
27.		<p><i>In item 9 "Project Team" are all the persons who will receive remuneration under the project described or only the persons involved in project management?</i></p>	<p><i>Section 9 of the Application Form describes all experts involved in project implementation and project management. This includes the project management team, the project implementation team (the specialized team of experts who will be involved in the implementation of the activities described in section 7 of the Application Form), as well as information on the experts envisaged to be involved in the implementation of the project activities, which are not named in the proposal, but a "Profile of experts and / or trainers" (Annex D11) has been completed for them.</i></p>

28.	Tsveta Miteva April 6 <sup>th</sup> , 2020	<p><i>In preparing the financial justification for determining the feasibility of project costs, on page 22 of the Application Guidelines is stated that it is also permissible to submit market surveys and / or internet surveys used in their valuation.</i></p> <p><i>If we look at the internet surveys option, then:</i></p> <ul style="list-style-type: none"> <li>- <i>is it permissible to do the surveys on the basis of websites offering machines for different purposes (for example: www.mashini.info) or should it be based on websites of manufacturers / suppliers?</i></li> <li>- <i>what is the minimum number of extracts to be submitted - one or two?</i></li> <li>- <i>do the extracts need to have a visible date?</i></li> </ul>	<ul style="list-style-type: none"> <li>- <i>The Call does not require that the internet surveys are based solely on the websites of manufacturers / suppliers.</i></li> <li>- <i>As regards the minimum number of extracts, on p. 22 of the Call is stated that: "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."</i></li> <li>- <i>As regards the dates of the extracts, there is no mandatory requirement for the presence of a date of the extracts in the Call.</i></li> </ul>
29.	B. Ivanova April 21 <sup>st</sup> , 2020	<p><i>Do the indicated target values of the indicators in the table in item 8 refer to the total of the Programme or are they a target value for each project proposal?</i></p>	<p><i>The indicators (including target values) in item 8 of the Call refer to the whole Call "Small grant scheme for marine waste reduction measures".</i></p>