



Call for the submission of project proposals

Open Call No. 1

Diffuse pollution of Marine Waters

under

Outcome 2: " Assessment, Monitoring and Management System of
Marine Waters Developed"

of the

Environment Protection and Climate Change Programme

Deadline for project proposals submission: 1st July 2021, 5:00 p.m.
Bulgarian time.

Contents

CALL FOR THE SUBMISSION OF PROJECT PROPOSALS.....	1
I. MAIN TERMS AND ABBREVIATIONS.....	3
MAIN ABBREVIATIONS	3
MAIN TERMS	4
II. BACKGROUND.....	7
DEADLINE FOR SUBMISSION OF PROJECT PROPOSALS AND WORKING LANGUAGE	8
1. NAME OF THE PROGRAMME	8
2. NAME OF THE PROGRAMME AREA	8
3. NAME OF THE PROCEDURE	8
4. TERRITORY OF IMPLEMENTATION OF THE PROJECT	8
5. PURPOSE OF THE CALL AND STAKEHOLDERS	9
6. DEMARCATION WITH SIMILAR PROJECTS / PROGRAMMES	9
7. EXPECTED RESULTS	10
8. ELIGIBLE APPLICANTS.....	12
9. ELIGIBLE PARTNERS	13
10. ELIGIBLE ACTIVITIES.....	14
11. TOTAL BUDGET FOR THE PROCEDURE	16
12. MINIMUM AND MAXIMUM GRANT AMOUNT.....	16
13. DURATION OF THE PROJECT	16
14. GRANT AND CASH FLOW INTENSITY	16
15. ELIGIBLE COSTS	17
16. INELIGIBLE COSTS.....	24
17. PUBLIC PROCUREMENT.....	24
18. STATE AID AND DE MINIMIS	25
19. SUSTAINABILITY OF THE PROJECT PROPOSALS.....	30
20. COMMUNICATIONS AND PUBLICITY REQUIREMENTS.....	31
21. PROCEDURE FOR SUBMITTING PROJECT PROPOSALS	32
22. LIST OF DOCUMENTS TO BE SUBMITTED AT THE APPLICATION STAGE.....	33
23. SUPPORTING DOCUMENTS, SUBMITTED BY THE APPLICANT AND THE PARTNER(S):	34
24. QUESTIONS AND ANSWERS	36
25. PROCEDURE AND CRITERIA FOR ASSESSMENT OF PROJECT PROPOSALS	36
26. OBJECTION AND APPEAL	62
27. PROCEDURE FOR CONTRACT CONCLUSION	63
28. LIST OF DOCUMENTS TO BE SUBMITTED BEFORE THE CONCLUSION OF THE CONTRACT.....	64
29. BILATERAL RELATIONS FUND	64
30. ADDITIONAL INFORMATION	65
31. LEGAL FRAMEWORK	66



I. Main terms and abbreviations

Main abbreviations

The Programme	Environment Protection and Climate Change Programme
FMC	Financial Mechanism Committee
MoEW	Ministry of Environment and Water
NFP	National Focal Point, Central Coordination Unit Directorate at the Administration of the Council of Ministers
EEA Grants	Financial Mechanism of the European Economic Area 2014-2021
FMO	Financial Mechanism Office
PO	Programme Operator
PPL	Public Procurement Law
DPP	Programme partner from donor country
The Regulation	Regulation on the Implementation of the EEA Financial Mechanism 2014-2021
EUMIS 2020	Information System for Management and Monitoring of EU Funds 2020
PC	Project contract
AACE	Administrative assessment of compliance and eligibility
TFA	Technical and financial assessment
AC	Assessment Committee
MCS	Management and control system
NGO	Non-governmental organization
EPCCP	Environment Protection and Climate Change Programme
CEA	Classification of economic activities



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 appointed by the Project promoter: Contractors implementing the project activities assigned to them by the beneficiaries of the grant. Project promoter 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 countries: The Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway;

Donor Programme Partner public entity in a Donor State designated by the FMC advising on the preparation and/or implementation of a programme, and/or participating in the implementation of a programme.

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

Financial Mechanism Committee (hereinafter referred to as FMC): Committee set up by the Standing Committee of the EFTA states to manage the European Economic Area Financial Mechanism 2014-2021;

Financial Mechanism Office (FMO): An organization assisting the Committee of the Financial Mechanism in the management of FM of the European Economic Area 2014-2021. FMO, which is an administrative unit of the European Free Trade Association, is responsible for the day-to-day implementation of the FM of EEA 2014-2021 on behalf of the Committee and serves as a contact point;

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

Project contract: A contract entered into between a Head of the 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;

„Project Partnership agreement“ - In case of partnership project, the project promoter shall enter into a partnership agreement with the project partner(s), in line with the requirements set out in Article 7.7 of the Regulations.



Indicator: Quantitative or qualitative unit of measurement that specifies what is to be measured along a scale or dimension. It should always be expressed in neutral terms: it should neither indicate the direction or change nor embed a target.

Ineligible costs: Costs that cannot be accepted as authorized under the project and may not be included in a payment request within the definition of Art. 8.7 "Ineligible costs" of the Regulation on the Implementation of the Financial Mechanism of the European Economic Area 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 Country, who has the overall responsibility for achieving the objectives of the Financial Mechanism of the European Economic Area 2014-2021 and implementation of the Memorandum of Understanding;

Non-governmental organization (NGO): A voluntary non-profit organization established as a legal entity independent of local, regional and central government, public authorities, political parties and trade organizations. 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 projects supported by the Financial Mechanism of the European Economic Area 2014-2021 aimed at achieving coherent objectives and results;

Programme Operator: A public or private entity, whether commercial or non-commercial, as well as non-governmental organization, responsible for the preparation and implementation of the Programme;

Programme area: A thematic area within a priority sector with specific objectives and measurable specific outcomes;



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

Project: A set of mutually interconnected and complementary activities with a predetermined objective(s), the necessary resources and a timetable 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 specific project funded through the FM of EEA 2014-2021, including an application form and other accompanying and required 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 competition or has a negligible impact on competition due to its minimum size as defined in Regulation 1407/2013;



II. Background

This Call for proposals is under the Environment Protection and Climate Change Programme, financed (85%) by the EEA Financial Mechanism and co-financed (15%) by the Bulgarian state. General information on the EEA FM can be found at www.eeagrants.org; www.eeagrants.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 Programme's spheres of action, and the Programme Agreement between the Financial Mechanism Committee and the National Focal Point, signed on 10.04.2018.

By virtue of 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 was designated as a Programme Operator responsible for the direct implementation and the achievement of the objectives set.

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

The Environment 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 of the Environment Protection and Climate Change Programme is € 15,294,118.

The Call for Project Proposals under Outcome 2: "Marine Water Assessment, Monitoring and Management System" of the Programme Implementation Agreement aims at projects to develop a methodology for assessing diffuse pollution of marine water in the Bulgarian Black Sea aquatory, as well as to take account of the qualitative and quantitative effects of impacts on marine waters.

A cross-border measure "Management and reduction of diffuse sources of pollution, including atmospheric deposition of pollutants" is included in the developed Programme Agreement and approved by the Council of Ministers Maritime Strategy of Bulgaria with a Programme of measures to it. The implementation of the measure aims to provide a comparable assessment of pollution from diffuse sources of marine waters and more



effective planning of mitigation measures. The measure will contribute to the achievement of the environmental objectives mainly under Descriptor 5, Eutrophication, and Descriptor 8, Pollution of Marine Environment.

According to Descriptor 5, Eutrophication, the main types of pressure are:

- Introduction of fertilizers and other substances with nitrogen and phosphorus content (agriculture, aquaculture, atmospheric deposition);
- Introduction of organic enrichment (marine crop, river water influx);

Under Descriptor 8, Pollution of Marine Environment, the main types of pressure related to the pollution with dangerous substances are:

- Introduction of synthetic compounds (e.g. pesticides, antifoulants, medicaments, ship pollutants, atmospheric deposition and biologically active substances);
- Introduction of non-synthetic substances and compounds (e.g. heavy metals, hydrocarbons from ship pollutants, exploration and use of oil, gas and minerals, atmospheric deposition and inflow of river water);
- Introduction of radionuclides.

Deadline for submission of project proposals and working language

To be eligible, application forms shall be submitted no later than 70 days after publishing the announcement, namely 1st July 2021 at 5:00 PM via the Unified management and information system (EUMIS 2020).

The working language of the Programme is English. The application form and the project budget shall be submitted in Bulgarian and in English together with a declaration by the applicant's representative that the information in both languages is identical.

1. Name of the Programme

Environment Protection and Climate Change

2. Name of the Programme area

Programme area 11 - Environment and ecosystems;

3. Name of the procedure

Open Call: Diffuse pollution of Marine Waters under Outcome 2: "Assessment, Monitoring and Management System of Marine Waters Developed"

4. Territory of implementation of the project

Activities shall be carried out on the territory of the Republic of Bulgaria and the donor countries (Iceland, Liechtenstein and Norway).



5. Purpose of the Call and stakeholders

The aim of the Call is the development and implementation of a methodology for assessing the pressures and impacts of diffuse sources of pollution (including atmospheric deposition) on the marine environment and the development of measures to reduce land-based pollution of the marine environment.

The Call targets the following stakeholders: educational, scientific and research institutions, national authorities, regional administrations, municipalities, NGOs and civil society.

6. Demarcation with similar projects / Programmes

Under the BG 02 Integrated Marine and Inland Water Management Programme, financed by the European Economic Area Financial Mechanism 2009-2014, projects have been successfully implemented, the results of which contribute to filling the gaps in monitoring data, the lack of which limited the Programme's preparation measures for the implementation of the Marine Strategy Framework Directive (MSFD).

*Through the results of **Priority 2, Improved Monitoring of Marine Waters projects**, European requirements and legislation are met to enable the annual monitoring of marine waters to be launched.*

*As a result of the implementation of the **Priority 3, Increased Capacity for Assessment and Forecasting of the state of the Marine and Inland Water Environment projects**, marine expeditions were conducted for the study and provision of missing data and instruments for assessing the state of the marine environment. Different marine and freshwater organisms have been studied as bioindicators for the chemical pollution of the Black Sea, the Danube River and other freshwater basins, and their safety as a food resource have been assessed. The distribution, the biological characteristics and the stocks of some non-nautical marine resources have been established and management measures have been taken. Under this priority, projects contribute to completing the data under Descriptors 8, 9, 10 and 11 of the MSFD.*

In accordance with the eligible activities under this Call, a Methodology will be developed and introduced to assess the pressures and impact of diffuse sources of pollution on the marine environment, which is part of Annex III.2 (List of new Measures) of Measure No. 1 (Management and Reduction of Diffuse Sources of Pollution, Including Pollutant Deposits) of the Maritime Strategy of the Republic of Bulgaria.

In the preparation of the Methodology for Assessment of Pressure and the Impact of Diffuse Sources of Pollution on the Marine Environment, the data from the investigated status of Descriptors 8, 9, 10 and 11 can be used in implementation of Priority 3 of the BG 02 Integrated Marine Management and Inland Waterways Programme, funded by the European Economic Area Financial Mechanism 2009-2014.



7. Expected results

Programme Objective	Expected programme results	Indicator	Unit of Measurement	Source of verification	Frequency of reporting	Baseline value	Target value
		Share of ecosystem monitoring professionals in the competent (or relevant) institutions who declare improved skills/competencies	Percentage	Survey results	2021, 2024	N/A	80%
	<i>Systems developed for protection of marine environment</i>	Introduced methodology for assessment and impact from diffuse sources of pollution (including atmospheric deposition) on marine environment	Binary	Project promoters records	Semi annually	No	Yes
		Number of implemented initiatives for reduction of pollution from land based sources on marine environment	Number	Project promoters records	Semi annually	0	1
<i>Education and awareness-raising campaigns conducted</i>		Number of Awareness raising campaigns carried out	Number	Project promoters records, Audio/video/print material produced	Semi annually	0	3
		Number of	Number	Project	Semi	0	5



		education campaigns developed		promoter s records, Audio/video/print matherial produced	annually		
		Number of Professional staff trained (disaggregated by Gender)	Number	Project promoter s records, Attendance sheets	Semi annually	0	100
Bilateral outcome	<i>Enhanced collaboration between Beneficiary and Donor State entities involved in the programme</i>	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 the knowledge acquired from bilateral partnership	Percentage	Survey results	Annually (in the APR)	0	50%
		Number of projects involving cooperation with a donor project partner (if applicable)	Number	Copy of contracts, concluded with Project Promoter s, Partnership Agreement between Project Promoter and project	Semiannually	0	10



				partners			
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*The value is at least 4,5 on 1-7 scale. The scale is determined in Core Indicators Guideline.

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 Systems developed for protection of marine environment and Education and awareness-raising campaigns conducted.

8. Eligible applicants

Under this Call, eligible applicants are research organizations as defined in item 1.3. Definitions, sub-item (ee) from the EU Framework for State Aid for Research, Development and Innovation (2014/C 198/01):

"**Organization for Research and Knowledge Dissemination**" or "Research Organization" shall mean an entity (such as universities or research institutes, technology transfer agencies, research-oriented innovation intermediaries, physical or virtual cooperation organizations), regardless of its legal status (whether established under public or private law) or funding, the main purpose of which is to conduct independent fundamental research, industrial research or experimental development and/or to disseminate on a broad scale the results of these activities through teaching, publication or transfer of knowledge. When these entities also engage in business activities, financing, costs and revenues from these business, activities shall be reported separately. Undertakings which may have a decisive influence on such an entity, for example as shareholders or members, may not benefit from preferential access to the results achieved;

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

Ineligible (even if he/she meets the above criteria) shall be any applicant:

1. Who has been convicted by a judgment which has entered into force (unless he/she has been rehabilitated) for:

- a) a crime against the financial, tax or insurance system, including money laundering, under Art. 253 - Art. 260 of the Bulgarian Criminal Code or similar foreign norm;
- b) a bribe under Art. 301 - Art. 307 of the Bulgarian Criminal Code or similar foreign norm;
- c) participation in an organized criminal group under Art. 321 and Art. 321a of the Bulgarian Criminal Code or similar foreign norm;
- d) an offense against property under Art. 194 - Art. 217 of the Bulgarian Criminal Code or similar foreign norm;



- e) an offense against the holding under Art. 219 - Art. 252 of the Bulgarian Criminal Code or similar foreign norm;
 - f) a crime under Art. 108a of the Bulgarian Criminal Code or similar foreign norm;
2. Who has declared bankruptcy;
 3. Who is in liquidation proceedings or in any analogous situation arising from a similar procedure under national laws and regulations;
 4. Who 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. Pending insolvency proceedings;
- 4.2. 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;
- 4.3. Any other proven breach of good governance, as defined in EU Regulation No. 2018/1046 and/or applicable law in the applicant's country.

Important!

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.

9. Eligible partners

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 Protection and Climate Change Programme.

Eligible project partners are any public or private entity, 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 the respective 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.

An application shall contain a detailed project description and budget, including the role of the partners and their share of the budget. 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 and at the negotiation stage through a Partnership Agreement between the Project Promoter and the Partners (including the role of the partners and their share of the budget). The agreement shall comply with Art. 7.7 of the EEA Regulation. A Partnership Agreement (in a form) shall be concluded in English with a translation into Bulgarian and shall be provided to the Programme Operator before signing the project contract. The Programme Operator shall confirm that the Partner Agreement complies with the above-mentioned Article of the Regulation.

Applicants shall comply with the provisions of the EEA Regulation on Conflict of Interest (Article 7.5).

There is no limit to the minimum number of partners.

There is no limit to the maximum number of partners, but this number shall match the project objectives, planned outcomes, activities and budget. Partners shall not be mechanically added 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 shall apply 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 shall be consistent with the requirements of applicable national and European Union public procurement legislation as well as Art. 8.2 of the EEA FM 2014-2021 Implementation Regulation.

During the preparation of the project, applicants may take advantage of the opportunities offered by the open Call under the bilateral relations fund, see . also point 26 below.

10. Eligible activities

Within this Call, the following activities are eligible:

- 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 shall be in line with the Programme's information and publicity requirements available at 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:
 - Developing and presentation of the methodology for assessing the pressures and impacts of diffuse sources of pollution (including atmospheric deposition) on the marine environment. *The methodology for assessing the*



pressures and impacts of diffuse sources of pollution on the marine environment shall contain:

- Investigating methodologies for estimating the pressure and impact of diffuse sources (if any);
 - Identification of potential sources of diffuse pollution of the marine environment, including atmospheric deposition. Determination of major pollutants entering the marine environment from identified sources of diffuse pollution;
 - Development and presentation of the methodology for quantification of diffuse pollution in the marine environment, including modelling of its spatial distribution in GIS environment;
 - Development and presentation of the methodology for determining the influence of diffuse pollution on the formulated good status of the marine environment and the defined environmental objectives and indicators;
 - Development of the models and approaches to assess the pressure and impact of identified sources of diffuse pollution;
 - Proposal to improve marine environment monitoring programmes in relation to identified diffuse pollution;
 - Proposal to introduce mitigation measures for diffuse pollution of the marine environment.
 - Applied initiatives for reduction of pollution from land based sources on marine environment
- Conducting awareness campaigns on the methodology developed to assess the pressures and impact of diffuse sources of pollution (including atmospheric deposition) on the marine environment and measures to reduce marine pollution from land-based sources;
 - Development of educational campaigns in relation to the developed methodology for assessing the pressures and impact of diffuse sources of pollution (including atmospheric deposition) on the marine environment and measures to reduce pollution from land-based sources of the marine environment;
 - Activities to enhance the skills and competences of the Professional staff in assessing the pressures and impact of diffuse sources of pollution (including atmospheric deposition) on the marine environment and measures to reduce pollution from land-based sources of the marine environment;
 - Activities related to the acquisition of project knowledge as a result of a partnership with a donor country.



This Call encourages partnerships with eligible donor partners that are actively involved in the project implementation and effectively contribute to its realization.

Priority will be given to projects for synergy between different Programme outcomes. For example, one project fulfils indicators of two or more results.

11. Total budget for the procedure

The total budget for the procedure is **800 000 EUR**.

12. Minimum and maximum grant amount

The minimum amount of funding per project is EUR 200 000 and the maximum is EUR 800 000.

Since the main result of the open call is "Developing and implementing a methodology for assessing the pressures and impacts of diffuse sources of pollution (including atmospheric deposition) on the marine environment", only one project can be funded under this Call, because the applicable methodology should be only one.

13. Duration of the project

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

The project activities have to be finalized not later than 30 April 2024 which is the end projects date of the "Environment Protection and Climate Change" programme eligibility period under the EEA Financial mechanism 2014-2021.

14. Grant and cash flow intensity

Grants from the Programme may be up to 100% of the total eligible costs of the public authorities. If the 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; is an NGO or a private organization, the share of the Programme Grant may be up to 90% of the total eligible project costs.

Payments to 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; shall be in the form of: prepayment, interim payments and final payment. Interim and final payments are made on the basis of approved interim reports and a final report.

- Prepayment shall be made within one month of submission of the request and after signing the contract. In order to receive a down payment, the 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; shall 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), which is authorizing officer (primary, secondary and third-rate) and there is an objective



impossibility of presenting a bank guarantee securing the advance payment, provision of a promissory note or a declaration signed by the chief budgetary authority that guarantees the received advance payment shall be admitted. Bank guarantees or promissory notes shall cover the duration of the grant contract plus 6 months.

- Interim payments shall be made within one month of approval by the Programme Operator of the Payment Requests (as per template) of a payment request and interim report, submitted by the Beneficiary.
- The final payment shall be made within one month of approving the final report and calculating the final balance of the project if required.

The distribution of payments shall be made according to the following scheme:

Project duration	First advance payment	Interim advance payments	Final advance payment
More than 12 months	Up to 45%	Up to 95% cumulative with first advance payment	Final payment
	* Up to 15%	* Up to 75% cumulative with first advance payment	Final payment

**In case the Project promoter is a private organization.*

The total amount of advance and interim payments may not exceed 75% (for private organizations or NGOs) or 95% (for budget organizations) of the grant amount.

All the conditions under which project payments are made are described in the General Terms of the Contract in the "Grant Contract" section.

Beneficiaries'/partners' procurement shall be subject to ex-post control. In the event of discrepancies/breaches of applicable law, the Programme Operator shall impose financial corrections while respecting the specificities of the 2014-2021 Implementation Regulation of the European Economic Area Financial Mechanism and the Guidelines for determining financial corrections to be made by the European Commission to EU-funded expenditure under the principle of shared management, for non-compliance with public procurement rules, approved by Commission Decision C (2019) 3452 from 14 May 2019.

15. Eligible costs

Basic principles of eligibility of costs



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

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

- Having occurred between the first and last eligibility dates for a project under the Project contract;
- The final date of “Environment Protection and Climate Change” programme eligibility of expenses is 30th April 2024
- Related to the subject of the Project contract and listed in the estimated total project budget;
- Costs proportionate and necessary for the project implementation;
- Costs 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;
- Costs reliably measured and documented by available primary accounting records, posted by the Project promoter and/or the project partner, and consistent with the applicable accounting legislation in the country where the Project promoter and/or partner is registered;
- Costs in line with the applicable tax, social security and employment legislation.

Costs 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. By way of exception, expenditure invoiced in the last month of eligibility shall also be considered as incurred within the eligibility period if it is paid within 30 days after the final eligibility date of project costs. Indirect costs and depreciation costs are deemed to have been incurred at the time of their accounting by the Project promoter and/or the project partner.

When purchasing new or second-hand equipment (Article 8.3, letter "c" of the Regulation) necessary for the implementation of the project, eligible shall be deemed the depreciation costs accrued for the project period report periodically to Programme operator (PO). Exceptionally, the Programme Operator (PO) may recognize the full cost of equipment expenditure if it is an indispensable and necessary condition for achieving the project results, as explicitly stated in the contract with the Project promoter.

Regarding the projects implemented by the beneficiaries-budget organizations, the amortization charge shall be regulated by the Minister of Finance DDS 5 / 30.09.2016, which defines the conceptual model for the application of the national accounting standard (SS 4 Depreciation Reporting).

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 primary accounting documents.



Costs incurred by project partners from donor countries 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 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, national legislation and applicable accounting practices of the country in which the project partner is registered; 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, these costs are incurred in accordance with the Regulation, national legislation and applicable accounting practices of the country or on the basis of the submitted supporting documents.

Eligible direct costs

Pursuant to Art. 8.3.1 of the Regulation, eligible direct costs of a project are the costs incurred by the Project promoter and/or the project partner accounted for in accordance with the usual accounting principles and internal rules of the organization as costs directly related to the implementation of the project, be directly accounted for. In particular, the following direct costs are considered eligible, provided they satisfy the general principles of eligibility of expenditure under Art. 8.2 of the Regulation, namely:

- Management costs - the costs under Action 1 of the application form shall 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 of the project shall include organizing and ensuring the work of the project management team (remuneration, insurance and mission expenses), providing the necessary supplies, materials and equipment for project administration.

Each Project promoter shall be directly responsible for the project management and ensuring the quality performance of the planned activities. It shall provide for sufficient interaction mechanisms between project management team members in task execution and work reporting to provide internal assessment and control, as well as to monitor project progress and take corrective action if necessary. In the project proposal each applicant shall present the structure of the project organization and management. The members of the team may be internal employees to the organization, as well as external experts, who are assigned the implementation of the organizational and management activities under the procedure of the PPL. This shall be explicitly mentioned in the project proposal. The project manager cannot combine the functions of a manager with those of a project management team member. The manager of the beneficiary may not take part in project management.

Each Project Promoter is directly responsible for project management and ensuring the implementation of foreseen activities with necessary quality. The Project Promoter should have an internal mechanisms for evaluation and control,



which should be confirmed with ensured qualifications and responsibilities of each individual members of the team.

Each applicant should have to provide a reliable organizational structure with sufficient control mechanisms for project management, if in the project proposal the following is included:

- description of the way of accepting the work and the control mechanisms during the implementation of the project through public procurement contracts, incl. the control of payments under the specific contract;
- provided mechanisms for control and monitoring of the project implementation;
- described both the responsibilities of each member of the management team and the relationship between them to ensure the achievement of the project objectives.

In this regard, in view of the above, the Head of the Project promoter can not take part in project management.

Each applicant shall provide a clear organizational structure for project management, including a project leader and members with specified tasks and requirements stating the required qualifications and responsibilities of each individual member. The members of the management team shall 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. Members of the management team may combine different functions, except those in which one of the joint positions has control functions over the other. The envisaged organizational structure shall demonstrate a division of functions within the team, and shall not be permissible to mix and overlap the functions and tasks, both between the individual members of the management team and with the outsourcers of the project.

- Pursuant to Art. 8.3.1, sub-item (a) of the Regulation, expenditures for staff working on the project consisting of actual salaries and corresponding social contributions 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 remuneration. Appropriate wage costs for staff in the administration are eligible as far as they are related to the performance of activities that the institution concerned would not perform if the project concerned had not been started;
- Pursuant to Art. 8.2.2, sub-item (d) the 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. In this connection the amount of hourly rate of the remuneration



of the employee(s) for the implementation of for the management and project implementation activities should not exceed the amount of the remuneration on hourly basis which the employee receive for the principal duties under the employment relationship.

- Travel and, subsistence costs for staff participating in the project, for the costs incurred by the Project promoter and/or partners registered in the territory of the country, the donor and beneficiary countries are subject to national legislation, namely:
 - Expenditures on 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 probative 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 rental of a car;
 - Internal transport costs in Donor countries, between cities. No refunds shall be made for taxi transportation or rental of a car;
 - 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 clear 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 outsourcing contracts related to project activities awarded in accordance with applicable public procurement legislation and the Regulation;
- Project audit costs:
 - The project shall be audited for project activities, including audit of project partners (for partners who are foreign entities and partners with a budget of over 100,000 Euros);



- 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 shall cover the verification of the activities and costs for the whole 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% according to the Regulation.
- 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 shall impose specific requirements on the beneficiaries as follows:

- The project promoter undertakes 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 shall be used for the purposes of the project;
- The project promoter shall undertake 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 (Article 8.3.2, b of the Regulation);
- The project promoter 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-recoverable value added tax (VAT) shall be deemed an eligible cost under this Call (under the VAT Act and the VAT Implementation Rules).

Important!

In case of concluded contracts as part of the project implementation which are below the national and EU thresholds set for public procurement or outside the scope of applicable public procurement law, the award of such contracts (including pre-award procedures) and the conditions such contracts should, in accordance with the principle of proportionality - to be in accordance with best business practices, including accountability, and to allow complete and fair competition between potential suppliers (external services and civil contracts) - for example through effective price comparisons - and to ensure the optimum use of resources from the EEA Financial Mechanism 2014-2021

Eligible indirect costs

Pursuant to Art. 8.5 of the Regulation eligible indirect costs are costs that cannot be identified by the beneficiary 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 beneficiary 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 external 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 Beneficiaries;
- 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 project and Project Promoter;
- 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.

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.

Single cost financial analysis 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 an analysis on the valuation of all activities included in the project proposal. For organization and management activities, depreciation, information and communication costs, a valuation analysis 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.

References to tenders (which must be from organizations with an activity similar to the subject of the tender) apply the tenders themselves (minimum three), 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 analysis should include the selection of tenders (at least three) from potential contractors with activities similar to the subject matter of the project proposal; extracts from PPAs for executed contracts; other documents that clearly indicate how to determine the value of the activities.

16. Ineligible costs

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

- Interest on loans, debt service charges and penalties for late payments;
- Charges for financial transactions and other purely financial costs;
- Provisions for losses or possible future liabilities;
- Currency exchange losses;
- Refundable VAT;
- Costs covered by other sources;
- Fines, penalties and litigation costs, except where an litigation is a necessary and integral part of the achievement of the project's objectives;
- Excessive or reckless spending;

17. Public Procurement

Procurement under the projects to be financed by EPCCP, 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 PPA. For non Bulgarian partners procurement shall be carried out in accordance with applicable national public procurement rules.

- When the project promoters/ partners under the project 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 by the beneficiary of PPA external assignments and CM Decree 118/2014 relate to **control of outsourcing plans. Outsourcing plans shall be completed in a structured form according to the EUMIS 2020 Ordinance.**

18. State aid and de minimis

The definition of "state aid" is contained in Article 107 (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 beneficiary 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 beneficiary 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 Regulation for 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.



Given the nature of the Maritime Invitation, the main activities of the research organizations described in point 19 of the State Aid Framework for Research, Development and Innovation are not economic (2014 / C 198/01). In view of the above, only non-economic activities will be funded under the call and therefore the regime of Regulation 1407/2013 does not apply to applicant organizations. Where partner organizations engaged in economic / economic activities are involved, the State Aid and de-minimis regime applies only to economic activities.

Eligible applicants under the procedure are described in item 8 of this Call. The aim of the Call is to develop a methodology for assessing the diffuse pollution of marine waters in the Bulgarian Black Sea aquatory and to take into account the qualitative and quantitative effects on the marine waters. This will lead to the fulfilment of the obligations of the country stemming from the norms of the European and national legislation.

The actions foreseen in this Call, to be funded by EPCCP 2014-2021 funds, shall be implemented by contractors identified as a result of open, transparent, sufficiently publicized and non-discriminatory public procurement procedures under the PPA and CM Decree 118/2014. The Programme Operator of the EPCCP Programme 2014-2021 shall carry out ex-post control over the compliance with the legislation in the field of public procurement by the beneficiaries of the Programme, including observing the principles under Art. 2 PPA on Equality and Non-Discrimination, Free and Fair Competition, Publicity and Transparency. In this sense, support at the level of contractors shall also 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. 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 beneficiaries 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 beneficiaries:



- De-minimis aid" regime according to the requirements of the Commission Regulation (EU) No. 1407/2013, in accordance with the eligible economic activities under the Call for proposals;
- "Non aid" regime – aid that is out of the scope of the of Article 107 para 1 of the Treaty on the Functioning of the European Union (aid that is not state and de-minimis aid)

Under the Call for proposals there is no requirement for preferential use of local than the imported goods.

The minimum aid shall not exceed the BGN equivalent of EUR 200,000 (BGN 391,166) over a period of 3 (three) consecutive budget years. Before the aid is granted, the PO shall carry out a verification of the aid ceiling. The defined aid ceiling shall apply to "one and the same 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, para. 8 and 9 of Regulation (EU) No. 1407/2013 and the guidelines in this section, namely: in a "minimum 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 one and the same undertaking, including the maximum amount of the funds provided to him / her under the EPCCP allocation for 2014-2021, may not exceed EUR 200 000 over a three-year period.

When, with the granting 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.

If an company carries out land freight operations for another's expense or for remuneration, and if it carries out other activities to which the ceiling of EUR 200 000 applies, the ceiling of EUR 200 000 shall apply to the undertaking, provided that the Member State concerned guarantees through appropriate means, such as segregation of activities or cost-sharing, that aid for land freight operations does not exceed EUR 100 000 and that de minimis aid is not used for the acquisition of trucks.

In implementing their projects, beneficiaries shall bear in mind that under the "minimum aid" scheme all values used are gross, i. e. before deducting taxes and other charges. Minimum aid granted in several instalments is discounted to the amount at the time of the grant. 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 to have been 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 minimum aid amounts received by it



and the undertakings with which it forms the "one and the same undertaking" within the meaning of Art. 2, para. 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 legitimate. Pursuant to Art. 3 (9) of Regulation (EU) No. 1407/2013 if an undertaking is divided into two or more separate undertakings, the de minimis aid granted before the split shall be provided to the undertaking which has benefited from it, which as a general rule shall be the undertaking taking over the activities for which de minimis aid has been used. If such provision of the grant is not possible, de minimis aid shall be allocated proportionally on the basis of the book value of the equity of the new entity to the effective date of the division. In the event that the undertaking (performing an economic activity) and / or the entities with which it forms "one and the same undertaking" within the meaning of Art. 2, para. (2) of Regulation (EU) No. 1407/2013 had received other minimal aid, new minimum aid under the EPCCP may be granted only for the remainder of the amount up to the ceiling referred to in Art. 3, para. 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 in partly by Union funds.

At the application stage the Programme operator shall require the undertakings (performing economic activity) to submit declarations containing information on receiving other minimum aids covered by Regulation (EU) No. 1407/2013 or other Minimum Aid Regulations during the two preceding budgetary years and during the current budget year, as well as the receipt of other state aid (State aid 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, para. 2 and Art. 3, para. 8 and 9 of Regulation (EU) No. 1407/2013.

The Programme Operator, if necessary, makes contact with 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 Article 5 (1) of Regulation (EU) No. 1407/2013, the minimum aid of up to EUR 200 000 may be cumulated with minimum 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 of EUR 500 000. The minimum aid may be cumulated with the minimum aid granted under other de minimis aid regulations (such as minimum 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 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>);
- by a reference to the Commercial Register (for the companies mentioned in the declaration) regarding all the conditions of Art. 2, para. 2 and Art. 3, para. 8 and 9 of Regulation 1407/2013.

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

Subject to compliance with Art. 36, para. (1) of the State Aid Act, the PO, in its capacity as aid manager, shall be required, in each act granting the aid, to lay down the rules for the application of the conditions for its granting and control, and a mechanism for establishing an unlawfully obtained minimum help. The rules for implementing the conditions for granting and controlling assistance also contain information on how to verify the existence 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 de minimis aid shall at least contain rules establishing the ground for illegality, the identification of the aid recipient, the monetary equivalent of unlawful aid, the amount to be recovered, including the interest due and the date of the grant. As the administrator of the minimum aid, the PO shall inform the Minister of Finance within 3 working days of the granting 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 Register of Activities of the minimum aid. PO, in its capacity as aid manager, shall be responsible for the completeness, correctness and timeliness of the information provided on the minimum aid granted. The documentation on de-minimis individual aid shall be kept for a period of 10 budget years from the date of its granting. The documentation on 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 granted.

"Non aid" regime (aid outside the scope of Article 107 para 1 of TFEU (aid which is not State aid and is not minimum aid).



With regard to the financing of non-profit-making 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 activity.

Public funding of natural heritage conservation activities, which are available to the public free of charge, pursue a purely social objective, has non-profit-making nature. (Commission notice on the concept of State aid referred to in Article 107 (1) TFEU, 2016).

Where an entity pursues both profit and non-profit activities, the public financing of non-profit 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 avoid cross-subsidization effectively. Evidence of the proper allocation of costs, financing and revenue is the entity's annual financial statements. 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 granting of state aid must be applied. They are defined in a step-by-step manner, and with the increase in the amount of aid the requirements for granting the aid increase.

19. Sustainability of the Project Proposals

The sustainability of the results of the project is of main significance for the assuring long-term benefits. For the PO it is necessary to guarantee sustainability of the results from the projects.

The Application Form must include information on the concrete measures for utilization of the project results within the period of sustainability and information on how the results of the project will be replicated by the applicant/partner or by other entities.

According to art. 8.12 of the Regulation, the minimal term for sustainability of the projects is:

- 3 years following the approval of the final project report by the Programme Operator if the project does not include the acquisition of fixed assets, intangible assets whose expenditures for acquisition have been covered within the frames of the project or CAW;
- 5 years following the approval of the final project report by the Programme Operator if the project includes CAWs or acquisition of fixed and intangible assets, whose expenditures for acquisition have been covered within the frames of the project. The project promoter has the responsibility to use the material and the intangible assets as well as the premise/building subject to CAWs solely for the aims of the project. The premise/building must function for the whole period of sustainability of the project.



20. Communications 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 beneficiaries 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 Beneficiary shall develop and implement a Project Communication Plan.

Potential Beneficiaries 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 Beneficiary 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 target groups and evidence of this.

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

The communication plan shall include at least the following:

- Targets and target groups, including stakeholders at national, regional and/or local level, and the general public;
- The strategy and content of information and communication measures, including activities, means of communication and time frames, taking into account the added value and impact of FM of EEA 2014-2021;
- At least three information activities on project progress, achievements and results (introductory, interim and final), 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 and may be of a smaller scale;
- Measures to provide project information on the web, through a dedicated website and/or through appropriate social media usage. Project information shall be regularly updated in Bulgarian and in English. 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 FM of EEA 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 FM of EEA 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 Beneficiary 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 FM of EEA and NFC 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 beneficiaries 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 Beneficiary 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 beneficiaries shall be in line with the EEA Financial mechanism 2014-2021 Communication and Design Manual published at <https://www.eeagrants.com/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).

21. Procedure for submitting project proposals

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

Project proposals submitted electronically through EUMIS 2020 created by the EUMIS 2020 account shall be submitted in accordance with the rules in the Regulation on the Terms and Conditions and the Mechanism for the Operation of the Information System for Management and Monitoring of the Funds from the European Structural and Investment Funds and conducting proceedings before the Managing Authorities through the EUMIS 2020.

The application form and the project budget shall be completed in EUMIS 2020 in Bulgarian and English, as well as a statement from the representative of the applicant that the information in both languages is identical. In case of contradiction between the two versions, the information in English shall prevail.

After the deadline for project submission EUMIS automatically ends the procedure and the submission of project proposals is not possible.

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

All project proposals submitted before the deadline shall be evaluated in accordance with the criteria described in the Call for proposals under the relevant procedure. The



assessment shall be carried out in EUMIS 2020, with project proposals submitted in due time being included in an assessment 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 should be signed by electronic signature) according to the guidelines in p. 22.

22. List of documents to be submitted at the application stage

- 22.1. 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 fill in 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;
- 22.2. Budget (by template given)
- 22.3. Declaration by the Applicant/Partner for acceptance of the rules and conditions – template Annex D1.; A Declaration of the Applicant/Partner (if any) shall be signed individually by any person representing the Applicant. It may not be signed by authorized/empowered persons as it declares personal data or data of the legal entity concerned, because the person bearing his criminal responsibility for the correctness of the declared data.
- 22.4. Declaration for State Aid and de minimis for The Applicant and the Partner - by Annex D2.; The declaration shall be signed by at least one of the persons who represent the Applicant. When the Applicant/Partner is represented by two or more persons together, each person representing the Applicant/Partner shall sign a separate declaration;
- 22.5. Declaration for VAT appended to application form Annex D3. The declaration should be signed by the person who represents the Applicant/Partner.
- 22.6. Declaration of irregularities - appended to application form Annex D4. The declaration should be signed by at least one of the persons who represent the Applicant/Partner;
- 22.7. Privacy statement - appended to application form Annex D5. The declaration should be signed by at least one of the persons who represent the Applicant/Partner;
- 22.8. Declaration for equipment bought appended to application form Annex D6. The declaration should be signed by at least one of the persons who represent the Applicant.



- 22.9. Declaration of identity of the presented information in the application form and the budget in English and Bulgarian Annex D7. The declaration should be signed by at least one of the persons who represent the Applicant;
- 22.10. Declaration for financing the NGO's Annex D8. The declaration shall be signed by at least one of the persons representing the NGO Partner (s) from the Republic of Bulgaria
- 22.11. 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;
- 22.12. Statement of consultants involved in the preparation of the project proposal according to point (k) of Art. 7.3 of the Regulation Annex D10
- 22.13. Experts profiles Annex D11;
- 22.14. Curriculum vitae of the project implementation team proposed by the applicant - team leader, project coordinator (s), and other experts, if applicable Annex D12
- 22.15. Declaration according to the CPDCI law Annex D14.;
- 22.16. Quality management plan and risk assessment Annex D16.;
- 22.17. Schedule of the Public Procurement Activities under PPL and Decree of the Council of Ministers 118/2014 (in the application form in EUMIS 2020);
- 22.18. Approved Profit and Loss accounts and Balance Sheets by the respective responsible persons - for the past three financial years ended from the date of publication of this Call - (2019, 2018, 2017) In order to provide official access to the PO with the required information on Approved Profit and Loss accounts and Balance Sheets, the applicant may, by filling in a Declaration of consent for provision of data by National Statistical Institute ex officio (D 16) give consent to an official check by the PO to its annual reports, through the integrated system between UMIS 2020 and the NSI Monitorstat information system.
- 22.19. Notarized power of attorney (order for public organizations) to authorize a person representing the Applicant (if applicable) in relation to submitting the project proposal and signing 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.
- 22.20. Communication plan (according to the Regulation requirements)
- 22.21. Supporting documents (if applicable).

23. Supporting Documents, submitted by the applicant and the partner(s):

- 23.1. Court decision for registration or relevant founding documents (Statute or Articles of association of the applicant organization (s) – a copy certified by the applicant / partner and text "True to the original". *The document shall not be presented if it is*



published and the data in it / them are accessible through a public register, or can be provided through direct and free access to Member States' national databases.

- 23.2. Registration under BULSTAT (UIC, if applicable) - a copy certified by the applicant / partner and text "True to the original"; The document shall not be presented if it is published and the data in it / them are accessible through a public register, or can be provided through direct and free access to Member States' national databases. In case the applicant is registered under the Commercial Register Act and under the Register of NGOs, this circumstance will be checked ex-officio by the PO according to art.23, par.6 of the Commercial Register Act.
- 23.3. Certificate of registration under Art. 104 of the VAT Act - a copy certified by the applicant / partner and text "True to the original" – if applicable; The document shall not be presented if it is published and the data in it / them are accessible through a public register, or can be provided through direct and free access to Member States' national databases. Note:
The documents under p.23 shall be presented by the partners based on the territory on Republic of Bulgaria.
- 23.4. **Documents that shall be presented by the Donor States partners**

- 23.4.1. Partner organizations from Kingdom of Norway: Register transcript, certifying the legal status and the main activities, executed by the organization – excerpt from the official register of Kingdom of Norway - Brønnøysundregisteret. Certificate of Good Standing – issued by the competent authority in the Donor State.
- 23.4.2. Partner organizations from Iceland: Certificate of Registration – issued by the Register of Enterprises - Skráasvið.
- 23.4.3. Partner organizations from Principality of Lichtenstein: Registration transcript certifying the legal status and the main activities, executed by the organization – excerpt from the official register of Principality of Lichtenstein - Handelsregisterauszug

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.

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 published in EUMIS 2020, Section 12 "Attached Electronically Submitted Documents" from the Application Form.



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.

24. Questions and Answers

The applicants may ask questions by e-mail at the following email address: eea@moew.government.bg or through the website of the Programme. Questions and answers shall be published on the Programme's website, part of the single information portal of FM of EEA for Bulgaria, as well as in EUMIS 2020. Questions shall be asked no later than 21 days before the deadline for submitting project proposals. The Programme Operator shall answer the questions asked no 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.

25. Procedure and criteria for assessment of project proposals

The assessment and selection of project proposals shall take place in three stages:

- Administrative compliance and eligibility of the applicant/partner (AACE);
- Technical and Financial Evaluation (TFE);
- Selection Committee (SC).

1. Administrative compliance and eligibility of the applicant/partner

The assessment of administrative compliance and eligibility of a project shall be carried out by two experts, independently of each other. If there is a lack of document and/or non-conformity found in the examination of the project proposals, the applicant shall be notified through the EUMIS 2020 of the discrepancies/shortcomings found and a reasonable time limit for their removal shall be set, which may not be shorter than five working days and shall be the same for all applicants in the procedure. The clarifications given by the applicants may not lead to a qualitative improvement of the project proposal.. Communication with the applicants shall be done through the EUMIS 2020 and a request for additional information shall be sent via the "Communication" module to the email address specified in the profile of the applicant. On the basis of the information received, the Selection Committee shall only edit this section of the form, where further information was required. The deadline for responses to the request for clarifications shall not be less than five 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 assessment, 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 checklists, 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 assessment and the reasons thereto. The list shall be published on the United Information Portal for FM of EEA. The chairperson shall notify the rejected applicants by a separate notification to each of them through 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 complainant's objection is justified, the PO may return the project proposal for examination at the stage of administrative compliance and eligibility of the applicant. If the objection is rejected, the applicant may appeal the decision of the PO to the competent Bulgarian court.

2. Technical and financial assessment

The technical and financial evaluation (TFE) of the project proposal shall be a substantive project assessment process of the project proposals, which shall be carried out in accordance with the assessment criteria described in the Application Guidelines for the relevant procedure.

The assessment 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 shall be outside from the PO and Selection committee

Each application that meets the administrative and eligibility criteria shall be reviewed by two impartial experts appointed by the Programme Operator, at least one of which shall be independent of the Programme Operator and the Selection Committee. The experts shall separately score the project according to the selection criteria published with the call for proposals. For the purposes of ranking the projects, the average of the scores awarded by the experts shall be used. If the difference between the scores given by the two experts is more than 20% of the higher score, a third expert, who shall be impartial and independent of the Programme Operator and the Selection Committee, shall be commissioned by the Programme Operator to score the project independently. In such cases, the average score of the two closest scores shall be used for the ranking of the projects.

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 and its Partners. 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, 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 to the Programme Operator.

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 approve the report when there has been a serious violation of the procedure. The Programme Operator may modify the decision of the Selection Committee in justified cases.

The Programme Operator shall notify the applicants about the results of the selection process within a reasonable time and publicise 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.

Administrative criteria and Eligibility criteria

Criteria	Yes	No	N/A	Verifications
Criteria for administrative eligibility assessment				
1. The project proposal is submitted through the EUMIS 2020 system within the deadline for the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Source of information:</u> EUMIS 2020, Application form According to the Section II of



<p>submission of project proposals, as specified in the Call for Proposals.</p>			<p>the Application guidelines only project proposals submitted within the deadline are allowed to be assessed at the stage of administrative compliance and eligibility.</p>
<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 of the legal entity applicant.</p>			<p><u>Source of information:</u> EUMIS 2020, Application form, Verification in relevant public registers.</p> <p><u>Actions:</u></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 belongs to the legal entity-applicant, in which case the author of the signature should be the applicant's official representative.</p> <p>The Qualified Electronic Signature (QES) may also belong to the holder and author – the authorized natural person or belong to the holder of the applicant legal entity, in which case the author of the signature should be the official representative of the applicant or the authorized natural person.</p> <p>The deficiencies shall be eliminated by the applicant only once and the elimination should be done within the</p>



			<p>time limit set by the assessment committee.</p> <p>Non-elimination of deficiencies is grounds 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><u>Source of information:</u> 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.</p> <p>Failure to submit the document, requested by the assessment committee, within the set deadline or submission of a document that is irregular is grounds 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><u>Source of information:</u> EUMIS 2020, Application form, Section 12: Attached electronically signed documents.</p> <p>An online 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 grounds for not allowing the project proposal to be admitted to the TFA and rejected.</p>
<p>5. The application form and all the declarations are also submitted in English.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<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 rejected..</p>



<p>6. Court decision for registration is submitted - copy certified by the applicant / partner's with stamp and the text "True to the original"</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020.</p> <p>The document(s) have to be scanned and attached in the in Section 12 of the Application Form.</p> <p>Actions: These documents have to be only submitted by the applicants and partners of non-governmental organizations participating in the procedure.</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 of the Member 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>
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			<p>Non-elimination of deficiencies is grounds for rejection of the project proposal.</p>
<p>7. Registration under BULSTAT (UIC, if applicable) - copy certified by the applicant / partner with stamp and the text "True to the original"</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><u>Source of information:</u> EUMIS 2020.</p> <p>The document(s) have to be scanned and attached in the in Section 12 of the Application Form.</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 of the Member States.</p> <p>In case the applicant is registered under the Act 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 found.</p> <p>Deficiencies shall be eliminated by the applicant</p>



			<p>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 grounds for rejection of the project proposal.</p>
<p>8. Certificate of registration under Art. 104 of the VAT Act - a copy certified by the applicant / partner and text "True to the original" – if applicable</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><u>Source of information:</u> EUMIS 2020.</p> <p>The document(s) have to be scanned and attached in the in Section 12 of the Application Form.</p> <p>Actions: The check in the NRA will be carried out ex officio by an employee of the Programme Operator. The result of the examination shall be added to the applicant's file.</p> <p><input type="checkbox"/> 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 grounds for rejection of the project proposal.</p>



<p>9. Certificate (s) for the current status of the applicant / partner (s) (if any) issued no earlier than 3 months before the application deadline</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020. Section 12</p> <p>The document(s) have to be scanned and attached in the in Section 12 of the Application Form.</p> <p>Actions: The document is scanned and attached in Section 12 of the Application Form.</p> <p>Certificate (s) for the current status of the applicant / 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 of the Member 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>In case of discrepancy between data in the respective register and data related to the current status of the applicant / 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 applicant /</p>
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				<p>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 grounds for rejection of the project proposal.</p>
<p>10. Certified Statement of revenue and expenditures and Balance are presented by the respective responsible persons – for the last three financial years since the date of publication of the present invitation – (2019, 2018, 2017) or an access link is provided if the data is available on a public register/website.</p> <p><i>The document(s) shall not be submitted when the data from it/them is available through a free online public register.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 12: Attached electronically signed documents);</p> <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. If the same (s) have not been published in a free public register or have been published but the NSI models have not been</p>



				<p>complied with, the Accounting Balance Sheet (s) 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 grounds for rejection of the project proposal.</p>
<p>11. All Declarations, required from the Applicant/Partner (if any), are submitted in accordance with the Call for Proposals.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> 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>
<p>12. A Communication plan for the project proposal is presented in Bulgarian and English.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 12: Attached</p>



				<p>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>
<p>13. A draft partnership agreement or letter of intent to form a partnership has been submitted in accordance with Art. 6.4 of the Programme Agreement in the presence of project partners in Bulgarian and English.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> 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>
<p>14. The CVs of the project management and implementation team are presented in Bulgarian and English according to the provided template.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 12: Attached electronically signed</p>



			<p>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>
<p>15. A schedule for public procurement activities has been provided in accordance with the Public Procurement Act and/or Council of Ministers Decree No. 118/2014 in Bulgarian and English.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 10: Plan for outsourcing.</p> <p>In case of ascertained missing information, this 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>



<p>16. A Risk assessment and analysis of the project implementation have been provided in Bulgarian and English.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> 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>
<p>17. Project Quality Management Plan has been provided in Bulgarian and English.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> 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>



Criteria for assessment for the eligibility of the project			
<p>18. The applicant and (if applicable) each/all partner(s) is/are eligible applicant(s)/partner(s) as per the present call and is/are established as a legal person(s) in Bulgaria or one of the donor states;</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 2: Applicant data;</p> <p><u>Actions:</u> An official inquiry through the Classification of Economic Activities (only for the applicant and partners from Bulgaria) for the last financial year, according to NSI data.</p> <p>If the applicant/partner is not eligible under the Call, the project proposal is not admitted to TFA and rejected..</p>
<p>19. 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</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 12: Attached electronically signed documents, Applicant's Minimum and State Aid Statement (if necessary)/Partner (if any) and Application Form, Section 5: Budget</p> <p><u>Actions:</u></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</p>



				three budgetary years, the proposal shall not be admitted to TFA and rejected..
20. The applicant has submitted only one project proposal under this Call.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020.</p> <p><u>Actions:</u></p> <p>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 project proposal will be allowed for evaluation. , and the second and / or subsequent project proposals are dropped.</p>
21. 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><u>Source of information:</u> EUMIS 2020, Application form</p> <p><u>Action:</u></p> <p>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>
22. 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><u>Source of information:</u> EUMIS 2020, Application form, Section 7: Implementation plan/Project activities, and Section 8: Indicators</p> <p><u>Action:</u></p> <p>Verify that the minimum values of the indicators, set out in the project proposal, meet the requirements, set out in the Call.</p>



				If the indicators and minimum values in the project proposal do not correspond to those, described in this invitation, the project proposal is not admitted to the TFA and rejected.
23. The main activities in the project proposal are eligible under the Call.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 7: Implementation plan/Project activities</p> <p><u>Actions:</u> 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 AF 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 and rejected.</p>
24. The maximum and minimum values for the grant have been complied with requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 5: Budget</p> <p><u>Actions:</u> 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>
25. 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><u>Source of information:</u> EUMIS 2020, Application form, Section 5: Budget</p>



				<p><u>Actions:</u> In case the project proposal does not meet the maximum grant requirement, the project proposal is not admitted to the TFA and rejected.</p>
<p>26. The maximum and minimum allowed duration for the implementation of the project proposal is in accordance with the requirements of the point 13 of the Call for proposals</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 1: General data, Section 7: Implementation plan/Project activities</p> <p><u>Actions:</u> 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 is not allowed to the TFA and rejected.</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, referred to in Section 7 will be considered correct and the corresponding duration in Section 1 will be adjusted accordingly with the one in Section 7 of the AF.</p>
<p>27. The project proposal is aimed at least one eligible target group according to the Call.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Source of information:</u> EUMIS 2020, Application form, Section 7: Implementation plan/Project activities, and Section 11: Supplementary information, required of the assessment of the project</p>



				proposal, Target groups field <u>Action:</u> In case the project proposal does not target at least one eligible target group under the Call, the project proposal is not admitted to the TFA and rejected.
28. 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"/>	<u>Source of information:</u> EUMIS 2020, Application form
29. The current forms 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"/>	<u>Source of information:</u> EUMIS 2020, Application form

Technical and financial assessment

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
I	Capacity of the applicant and its partner(s)	11	
1.	The Applicant and partner(s), if any, have 2 or more implemented projects, together or individually in the field of marine water protection.	3	<u>Source of information:</u> EUMIS 2020, Application form
	The Applicant and the partner(s), if any, have at least 1 implemented project, together or individually in the field of marine water protection.	1	
	The applicant and partner (s) (if any) have no implemented projects in the field of marine water protection.	0	
2.	The applicant and the partner(s), if any, together or individually, have experience in performing environmental and climate change activities.	2	<u>Source of information:</u> EUMIS 2020, Application form
	The applicant and partner(s), if any, together or individually, have no experience in performing environmental and climate change activities.	0	
3	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: - Human Resources; - equipment, technical equipment, office; - the applicant and / or partner (s) have a management team with the necessary professional experience to manage the project.	4	<u>Source of information:</u> EUMIS 2020, Application form Section 12: Attached electronically signed documents
	All of the above components are available	4	
	At least two of the above components have been implemented.	2	
	None of the above components are available.	0	
4	The applicant did describe 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
	The applicant did not describe that he or she had the necessary financial resources to carry out the project activities.	0	



	Criteria	Points	Source of information
			electronically signed documents
II	Presence of project partnerships	15	
5	The implementation of the project activities is planned to be jointly with 2 or more partners.	4	Source of information: 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 does not plan co-operation with a partner(s).	1	
6	The project will be implemented through the implementation of good practices by donor states.	4	Source of information: EUMIS 2020, Application form
	The project will not be implemented through the implementation of good practices by donor states.	0	
7	The project proposal defines in detail and specifically the responsibilities of the applicant and the partner/partners in the implementation of the project and defines the involvement of each (functions in the implementation and engagement in achieving the results) in the individual activities of the project proposal.	7	Source of information: EUMIS 2020, Application form
	The project proposal does not detail the specific responsibilities between the applicant and the partner/partners in the implementation of the project.	3	
	The project proposal does not define the responsibilities of the applicant and/or partner/partners in the implementation of the project.	0	
III	Relevance and justification	20	
8	Contribution to the objectives of the EEA Financial 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."	2	Source of information: 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 Program and contributes in a concrete and consistent way to achieving them.	2	
	The project partially covers the criteria / sub-criteria. Some aspects of the criterion / sub-criterion are not sufficiently substantiated.	0	
9	The planned activities of the project proposal are aimed at meeting the identified needs of the stakeholder(s) and the method/mechanism for achieving this is described.	4	Source of information: EUMIS 2020, Application form
	The planned activities of the project proposal are partly	2	



	Criteria	Points	Source of information
	meeting the identified needs and method/mechanism is inadequately described.		
	The planned activities of the project proposal are not aimed at meeting the identified needs of the stakeholder(s) and the method/mechanism for achieving this is not described.	0	
10.	The project stakeholders, identified by the applicant, are eligible, clearly* defined and quantifiable.	4	Source of information: EUMIS 2020, Application form
	The project stakeholders, identified by the applicant, are admissible but not quantifiable.	2	
11	Does the project proposal have clearly defined outcome? The following criteria are taken into account: - The expected outcome are clearly* defined and objectively measurable; - The aim of the outcomes is to achieve the project indicators. Indicators set measure the results adequately and correspond to the program indicators; - The proposal makes it clear how the expected outcomes for each individual activity contribute to the achievement of the specific objectives of the project.	10	Source of information: EUMIS 2020, Application form
	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 was met.	0	
IV	Activities and implementation method	34	
12	The activities, planned in the project proposal, are clearly* defined and from the description, a link can be traced between purpose, activity, expected result, and indicator(s).	6	Source of information: EUMIS 2020, Application form
	The activities, planned in the project proposal, are not sufficiently clear* or the relationship between the objectives, activity, expected result, and impact cannot be traced.	2	
	The activities, planned in the project proposal, are not sufficiently clear* and from the description a link cannot be traced between purpose, activity, expected results, and impact	0	
13	The project proposal contains at least the minimum required activities of the Call where the level of the description guarantees the high level of results and applying of best available practices and technologies , and more than 2 additional activities/measures	10	Source of information: EUMIS 2020, Application form



	Criteria	Points	Source of information
	contributed to Outcome 2 of the Programme.		
	The project proposal contains at least the minimum required activities of the Call where the level of the description guarantees the high level of results and applying of best available practices and technologies , and at least 2 additional activities/measures contributed to Outcome 2 of the Programme.	5	
	The project proposal contains at least the minimum required activities from the Call where the level of the description guarantees the high level of results and applying of best available practices and technologies.	2	
14	The timeframe for implementation of the project activities is realistic, with clear sequences and duration of project activities.	4	Source of information: 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 is unrealistic.	0	
15	The planned project activities in the Communication Plan ensure widespread publicity and diffusion of results to the target groups.	4	Source of information: EUMIS 2020, Application form
	The planned project activities in the Communication Plan do not ensure widespread publicity and diffusion of results to the target groups.	0	
16	The communication plan includes more than the minimum required communication activities, according to Annex 3 of the Regulation.	4	Source of information: EUMIS 2020, Application form
	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	
17	The applicant has provided a description of potential risks (e.g. delays, budget, conflicts, etc.) and risk management and mitigation measures.	4	Source of information: 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 mitigation measures.	2	
	The applicant has not provided a description of potential risks (e.g. delays, budget, conflicts, etc.).	0	



	Criteria	Points	Source of information
18	The provided quality management plan 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	Source of information: EUMIS 2020, Application form, Section 12: Attached electronically signed documents
	The provided quality management plan does not contain any 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.	0	
V	Sustainability of project results	10	
19	The project proposal creates the result(s) that will be multiplied, as well as the mechanisms that will multiply the experience and results of the project.	4	Source of information: EUMIS 2020, Application form
	The project proposal does not create a result(s) that will be multiplied and/or the mechanisms that will provide a multiplication of project experience and results are not described.	0	
20	The Applicant has described how he/she will ensure financial and institutional sustainability of the project activities/output after its formal completion and has clearly outlined the measures that will be taken.	4	Source of information: EUMIS 2020, Application form
	The applicant has described how he/she will ensure financial OR institutional sustainability of the project activities/output after its formal completion, but there is no description of the measures to ensure institutional sustainability.	2	
	The Applicant has not described how he/she will ensure financial and institutional sustainability of the project activities/output after its formal completion	0	
21	The applicant described how the project implementation complements and/or upgrades other projects/initiatives for environmental protection and adaptation to climate change, implemented in the territory, where the project will be executed.	2	Source of information: EUMIS 2020, Application form
	The applicant has not described how the project implementation complements and/or upgrades other projects/initiatives for environmental protection and adaptation to climate change, implemented in the territory, where the project will be executed.	0	
VI	Financial assessment	10	
22	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	10	Source of information: EUMIS 2020, Application form



	Criteria	Points	Source of information
	presented.		
	Some of the set project costs are justified and eligible. Some of the set projected costs are fully consistent with the project activities and are necessary for their implementation. There is no detail in the argument about the amount of costs. The amount of ineligible expenditure does not exceed 10% of the project budget.	8	
	Some of the set project costs are justified and eligible. Some of the project costs are fully consistent with the project activities and are necessary for their implementation. There is no detail in the argument about the amount of costs. The amount of ineligible expenditure is in the range of 11% to 25% of the budget.	6	
	Most of the projected costs are not justified and eligible. The projected costs do not correspond to the project activities. There is a lack of substantive details of the reasoning for the amount of costs. The amount of ineligible expenditure exceeds 25% of the budget.	4	
	The projected costs are not justified and eligible. The projected costs do not correspond to the project activities, they are not realistic and market based.	0	

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

- they are unambiguously formulated - no interpretation is required, no contradictions or factual errors are made in their description; and;
- are described in such a way that 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 outcome specified in the description could not be achieved.

Supplementary information

The selection committee may adjust the budget 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;
5. non-compliance with state aid or de-minimis rules.

Adjustments shall be made after requesting additional clarification information from the applicant, the submission deadline being no less than 5 days.

Adjustments may not result in:

1. increasing the amount of the provided grant for the submitted project proposal;
2. inability to fulfill the objectives of the project or the project activities;
3. improving the quality of the project proposal.

The Assessment committee may also make other adjustments to the project proposal in case of discrepancies in the information, submitted by the Applicant, in different parts of the Application Form (AF), such as:

- Changes in indicator values.

The Applicant shall be notified of any adjustments made by the invitation to contract.

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

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 amend the project proposal.

26. Objection and appeal

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.

Statements of objection may be filed through EUMIS 2020 to the Head of PO within one week of notification. No new documents that were not part of the initial project proposal may 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 complainant's objection is justified, the PO may return the project proposal for examination at the stage where the proposal is rejected. If the objection is rejected, the applicant may appeal the decision of the PO to the competent Bulgarian court. The message shall be deemed to have been received by the applicant by sending it through the EUMIS 2020.



27. Procedure for Contract conclusion

A Grant Contract shall be signed between the PO and the Beneficiary for each approved project.

The Grant Contract 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 beneficiary will comply with the requirements of the documents forming the legal framework of the FM of EEA 2014-2021.

The Grant Contract shall explicitly refer to the Programme Agreement and the Regulation and, as a minimum, contain clauses on:

- Reporting that will allow the PO to fulfil its reporting obligations to the FMC and the NFP;
- Maximum amount of the grant in EUR and maximum rate of the grant of the eligible project costs;
- Applicable state/minimum aid regime and granted aid amount (if applicable under the specific procedure);
- Eligibility of costs;
- Maximum amount of indirect costs;
- Starting and end date of expense eligibility;
- Change of the project;
- Provision of immediate and unhindered access on demand 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 from the Beneficiary 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 a declaration of intent for partnership;
- Intellectual property rights for projects involving scientific research.

The following applications shall constitute an integral part of the Grant Contract:

- Approved project proposal and attached project budget, implementation plan and outsourcing plan, and risk reduction plan;



- Signed Partnership Agreement;
- Declarations.

28. List of documents to be submitted before the conclusion of the Contract

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 beneficiary'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.

29. Bilateral Relations Fund

The objective of the Bilateral Relations Fund is to provide financial support for the implementation of activities and initiatives in partnership between eligible beneficiaries from Bulgaria and the donor countries, in accordance with Art. 4.1 of the Regulations.

Pursuant to Art. 8.8 of the Regulation eligible actions for financing under the Bilateral Relations Fund are:



- Activities aimed at strengthening the bilateral relationship between donor countries and the beneficiary country;
- Seeking partners to implement donor partner projects before or during the preparation of the project proposal, developing such partnerships and developing a project proposal;
- Building a network, sharing experience and knowledge, technology, know-how and good practices between organizations in beneficiary countries, donor countries and international organizations;
- Activities aimed at enhancing bilateral cooperation, exchange of experience and good practices between the Programme Operator and similar organizations from beneficiary and donor countries as well as international organizations, whereas at least one of the participants shall be from donor countries;
- In certain cases, POs may approve the use of a "total amount" for mission expenses (travel, subsistence and accommodation costs incurred by foreign partners), respecting the principle of proportionality. Costs incurred by the beneficiary and/or partners registered in the territory of the country shall be subject to national law;
- Eligible costs under the Bilateral Relations Fund are for travel, overnight stays, meals, daily subsistence, hiring of halls, translation and other costs necessary to ensure the performance of the partner activities.

The scheme for supporting travels under the Environment Protection and Climate Change Programme under the Bilateral Relations Fund shall be open for the entire period of Programme implementation or until the defined budget for the Bilateral Relations Fund is exhausted. More information on participating in the Call for Bilateral Initiatives can be found at <https://www.eeagrants.bg/Programmei/okolna-sreda>

30. Additional information

Regulatory Documents of the Programme and FM of the EEA:

<https://www.eeagrants.bg/dokumenti/normativni-dokumenti>

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

Ministry of Environment and Water: www.moew.government.bg

Website for EU funds, including EEA information: www.eufunds.bg

Programme Website: <https://www.eeagrants.bg/Programmei/okolna-sreda/novini>

Website of Norwegian Environment Agency (Donor Programme Partner) - www.environmentagency.no



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

31. 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;
- Implementation Regulation on the EEA Financial Mechanism 2014-2021, <https://eeagrants.org/Results-data/Documents/Legal-documents/Regulations-with-annexes/EEA-Grants-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 signed between FSC and NFP, [https://www.eeagrants.bg/assets/resourcefiles/1858/Programme%20agreement%20BG-ENVIRONMENT amended%20June%202020%20final.pdf](https://www.eeagrants.bg/assets/resourcefiles/1858/Programme%20agreement%20BG-ENVIRONMENT%20amended%20June%202020%20final.pdf)
- ;
- 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, 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;
- 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 establishing 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 17 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);
- Maritime 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 Rules 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 of 20 May 2014 on the terms and procedure for the selection of a contractor by grant beneficiaries under the EEA Financial Mechanism, the Norwegian Financial Mechanism, the Asylum, Migration and Integration Fund and the Internal Security Fund, (Amended, SG No. 50/2015, in force as of 03.07.2015, Amended, SG 52 from 2016, in force from 08.07.2016). Ordinance for defining the conditions, procedure and mechanism for functioning of the information system for management and monitoring of the European structural and investment funds (EUMIS 2020) and for the conduct of proceedings before government authorities through EUMIS 2020.

