

DECISION no. 8
of 24th of April 2018

Regarding the complaints lodged against the Monitoring Committee Decision no. 72 of 22nd of March 2018, approving the List of approved and rejected projects submitted under the third call for proposals for the Interreg V-A Romania-Bulgaria Programme - deadline 23rd of October 2017

Having regard to the following:

- Monitoring Committee Decision no. 51 of 2nd of August 2017 approving the Complaint Panel for the Eols and full applications submitted under the 3rd call for proposals, priority axes 1-3, Interreg V-A Romania-Bulgaria Programme, step 1 and 2,
- The Complaint Procedure of Interreg V-A Romania-Bulgaria,

the Complaint Panel of Interreg V-A Romania-Bulgaria Programme has adopted this:

DECISION

Article 1. The present document partly rejects the complaint lodged by the Simian Local Council, lead beneficiary of the project "Simian and Vidin - Bridge over time" - code eMS 339, and registered by CBC ROC with the number 6386/02.04.2018, appealing the score received at technical and financial evaluation. The project has received a score of 54 points and thus it was rejected from financing.

Article 2. The applicant considers higher scores should have been granted:

- a) Q 3 - 1 point (maximum) in self-assessment vs. 0 points granted. No information regarding the capitalization of other implemented initiatives or synergies with past or current EU and other projects or initiatives the project makes use of is presented. The information provided in AF and copied in the complaint is strictly related to other projects implemented in the field, without any details on how the proposed project is capitalizing on the results of these ones or what synergies are created between all of them. Therefore, the Complaint Panel rejects the complaint for this criterion and the score granted by assessors is maintained.
- b) Q 5 - 1 point in self-assessment vs. 0 points granted. Based on the information provided by the applicant in the complaint, no specific green solutions are proposed. The applicant makes a general remark, namely *Procurement procedures will take into consideration requests on environment protection and sustainable use of resources from the service and supply providers*, without any other details regarding the green solutions proposed. However, considering the information

included in AF (and the related annexes) there are some solutions that can be considered green as: setting a fruit-tree orchard; setting a compact treatment plant for the waste water which will be used for irrigations etc. Therefore, the Complaint Panel approves the complaint for this criterion. Thus, 1 point is granted for this criterion.

- c) Q 8 - 1 point in self-assessment (maximum) vs. 0 points granted. Based on the information provided in AF (and copied in the complained) no specific measures regarding the promotion of equal opportunities and non-discrimination are proposed. The applicant states only that *Activities assumed for the present project were designed to include equal opportunities issues and to ensure greater impact of project's objectives. Target group was established regardless of any discriminatory aspects and objectives were established for solving problems identified both in Romanian and Bulgarian cross border business environment. Therefore, services and information that will be provided through project activities will be addressed to every person from the target group who is interested in project direction, The fact that all project activities are neutral as regard to identity of the beneficiaries to any group on any indication - they do not put restrictions based on gender, race, nationality, ethnicity, nationality, origin, religion or faith, education, beliefs, political affiliation, personal or public status, disability, sexual orientation, marital status or possession of property and others proves and contributes to the strengthening of the principle of equal opportunities and prevention of discrimination; thus just the minimum required by law, without pointing out specific measures on how exactly the promotion of equal opportunities and non-discrimination will be promoted.* Therefore, the Complaint Panel rejects the complaint for this criterion and the score granted by assessors is maintained.
- d) Q 9 - 1 point in self-assessment vs. 0 points granted. Based on the information provided by the applicant, no specific solutions related to equality between men and women, except those minimum required by law, are proposed. Therefore, the Complaint Panel rejects the complaint for this criterion and the score granted by assessors is maintained.
- e) Q 10 - 1 point in self-assessment vs. 0 points granted. Based on the information provided by the applicant, no specific solutions related to sustainable development are proposed. The applicants only states that *project activities were designed having in mind a balance use of resources, both human and financial, and appropriate choice of logistics. In this respect, activities will be subcontracted only for some logistic areas that project partners don't have enough expertise, without identifying clear solutions/measures on how the project will promote sustainable development.* Therefore, the Complaint Panel rejects the complaint for this criterion and the score granted by assessors is maintained.

For criteria Q 12, 14, 15, 17, 18, 19 the applicant just claims a specific score, without providing justifications. Therefore, the Complaint Panel considers the complaints unjustified, and therefore they are rejected. However, the scores awarded by the assessors are in line with the information provided in AF and the provisions of the call documents (Applicant's Guide and Assessor's Guide), as follows:

f) Q 12 - 2 points (maximum) in self-assessment vs. 1 point granted. Considering the information provided within the application form, only B2 has the necessary experience in the field addressed by the project, while the Lead Beneficiary has implemented just one project, but in a different field, namely Promoting Social Inclusion. Therefore, the score awarded is in line with the information provided in AF. Concluding, the Complaint Panel rejects the complaint for this criterion and the score awarded is maintained.

g) Q 14 - 10 points in self-assessment vs. 9 points granted. According to the information included in AF, the score awarded by the assessors are in line with the information provided in AF and the provisions of the call documents (Applicant's Guide and Assessor's Guide). Based on the information included in AF, there are some inconsistencies between the proposed activities and the financial resource; differences between the initial contribution of the project to the output and results indicators (within the full application, the contribution to indicators was reduced).

Concluding, the Complaint Panel rejects the complaint for this criterion and the score awarded is maintained.

h) Q 15 - 10 points in self-assessment vs. 8 points granted. According to the information included in AF, the score awarded by the assessors are in line with the information provided in AF and the provisions of the call documents (Applicant's Guide and Assessor's Guide). Regardless the clarifications submitted by the applicant, there are still some inconsistencies within the technical documents provided for LB.

Concluding, the Complaint Panel rejects the complaint for this criterion and the score awarded is maintained.

i) Q 17 - 2 points in self-assessment vs. 1 point granted. Based on the information included in AF, the communication and publicity activities are not sufficient enough in order to be able to achieve dissemination of project results and visibility among target groups considering that the project should attract tourist in the eligible cross-border area (only 2 videos are proposed, press conferences and press releases are foreseen). Therefore, the Complaint Panel rejects the complaint for this criterion and the score awarded is maintained.

j) Q 18 - 2 points in self-assessment vs. 1 point granted. The information and publicity materials are not proportionate with the planned activities and the set targets. Therefore, the Complaint Panel rejects the complaint for this criterion and the score awarded is maintained.

k) Q 19 - 10 points in self-assessment vs. 3 points granted. There was an inconsistency between the contributions to result indicator included in EoI and that included in the full application. The initial contribution was considerable reduced (from 22,020 overnights in EoI to 3,000 overnights in full AF, thus a decrease of more than 63%), but the initial budget was maintained. Moreover, taking into consideration the applicant answer to the clarification, there are questions on the applicants capacity to set/measure the contribution to this result; also, not enough evidence on how the result will be achieved is provided (the beneficiaries stated that the lower contribution is due to "*fact that initially we referred at all CBC region, and in AF we mention an estimation of 3000*

people only for the two partners localities, having as informational source an press release of Mehedinti Statistics Directory."). Therefore, the Complaint Panel rejects the complaint for this criterion and the score awarded is maintained.

- a) Q 13, Q 16, Q 20, 21, 22 - the scores are similar, thus no need to judge the complaint related to these criteria.

Concluding, following the applicant complaint and the Complaint Panel decisions, the score is increased with 1 point (1 for Q 5). However, the new score - 55 points - does not modify the Monitoring Committee Decision no. 72 of 22nd of March 2018 regarding the rejection from financing of this project.

Article 3. The decision of the Complaint Panel is final, binding to all parties and not subject of any further complaint proceedings within the Programme.

Signed by

Members of the Complaint Panel

Signature



Member 1 - Managing Authority representative, Ministry of Regional Development and Public Administration, Romania

Signature

Member 2 - National Authority representative, Ministry of Regional Administration and Public Works, Bulgaria



Signature

Member 3 - External Expert (from the Evaluation Unit), Ministry of Regional Development and Public Administration, Romania

