

DECISION no. ¹²...
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 rejects the complaint lodged by the Municipality of Ruse, lead beneficiary of the project "Investing in Road Safety and Improving the Connectivity of Ruse Municipality and Giurgiu County to TEN-T Transport Network" - code 418, selected for financing, and registered by CBC ROC with the number 6412/2.04.2018, appealing the budgetary reductions.

Article 2. The applicant appealed the budgetary reductions for items included in the categories of *Infrastructure and works* and *Equipment*, as follows:

- **Reduction of construction works by 3% (119,175.82 euro)**

Some of the construction works are overestimated. Examples are given in this regards: the budgeted price of bituminous crushed stone is 98 BGN/t, but under the SEK the price must be 94.40 BGN/t, which is approximately 3% less; the budgeted price of unsorted crushed stone 0-63 is 42 BGN/m³, but under the SEK the price must be 21,48 BGN/m³, which is approximately one half of proposed price. The rest of proposed prices are around the average for Bulgaria. With reference to the above examples, as well as a deeper analysis of the Cost Estimate, it is suggested that the total cost of the construction works should be reduced with 3%.

The applicant disagrees with the reason given for reduction, arguing only with their previous experience in implementation of projects similar to that for which appeals the reduction. However, no other relevant supporting documents to attest the claims were submitted.

Therefore, JS has requested the point of view of the technical expert regarding the submitted appeal of the applicant for the proposed reduction. The technical expert supports those

already declared within the initial Report for the analysis from technical and qualitative point of view for project proposal, recommending the budget reduction of the LB based on the same findings.

Considering the arguments above, the Complaint Panel rejects the appeal of the applicant complaining reduction of construction works by 119,175.82 euro.

- Reduction of *Equipment* by the amount of 2,451.40 euro representing the expenditure corresponding to the laptops and respective antivirus software foreseen to be purchased for the two team members of Beneficiary 2 (2 pieces).

The amount of 2,451.40 euro representing the reduced expenditure corresponding to the laptops and respective antivirus software foreseen to be purchased for the two team members of Beneficiary 2 (2 pieces). The Lead Beneficiary does not support with any argument the respective reduction, although mentioned in his appeal. The respective 2 laptops and antivirus software for the team members of B2 (Road maintenance Expert and Traffic efficiency expert) were considered not justified as the mentioned staff positions are not related to any specific computer on-desk work.

The Complaint Panel rejects the appeal of the applicant complaining reduction of Equipment by 2,451.40 euro.

- Reduction of *Equipment* by the amount of 7,354.20 euro representing the reduced expenditure corresponding to the laptops and respective antivirus software foreseen to be purchased for Giurgiu Traffic Police (6 pieces).

The Lead Beneficiary has expressed objections for the reduction sustaining that the respective equipment will contribute to raising awareness among citizens regarding traffic security measures, being used during the raising awareness campaigns developed in the county community by Giurgiu Traffic Police. As per information provided in the application form, *Activity - Carrying out joint awareness campaigns for traffic security education of the population*, such a campaign will be externalized, respectively the awareness campaigns will be conducted by means of a contract with an external service provider. The applicant failed to demonstrate the necessity for purchasing of such equipment for Giurgiu Traffic Police (though involved in the awareness raising campaigns as relevant stakeholder institution), providing only general statement that the laptops are useful during the raising awareness campaigns developed in the county community by Giurgiu Traffic Police, without other relevant indicatives, which does not clearly demonstrate their necessity for the project implementation.

Thus, the Complaint Panel rejects the appeal of the applicant complaining reduction of Equipment by 7,354.20 euro.

- Reduction of *Equipment* by the amount of 452,200 euro representing 2 items of vehicles equipped with thermal imaging systems

The Lead Beneficiary considers that the respective equipment which will be purchased is important in the project as it contributes to ensuring the traffic safety, the security of the citizens using the roads and protection of the project investment in the area. The 2 equipped vehicles are not considered traffic safety measures specific for TEN-T users, although useful in state border surveillance. As the need for purchasing of those 2

vehicles equipped with thermal imaging systems by B2, as well as their contribution to the project indicators were not clear from the information provided in the application form, additional information were requested during the evaluation phase.

The Applicant has motivated the need for purchasing of such specific equipment that will highly contribute to the management and detection of incidents in the cross border area, but the specific impact that the 2 equipped vehicles has on the traffic conditions in the cross-border area is not addressed by the Applicant.

The Applicant failed to demonstrate that those two specific vehicles will have direct/indirect contributions to any of the Projects' indicators and therefore were considered unjustified and the budget reduced accordingly.

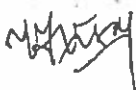
The Complaint Panel rejects the appeal of the applicant complaining reduction of Equipment by 452,200 euro.

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

