



DECISION no. 7
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 *Municipality of Giurgiu*, lead beneficiary of the project *Well-developed transportation system in the Euroregion Ruse-Giurgiu for better connectivity with TEN-T network - code eMS 425* and registered by CBC ROC with the number 6385/02.04.2016, appealing the budgetary reduction for Beneficiary 2 - Ruse Municipality. According to the Monitoring Committee Decision no. 72 of 22nd of March 2018, the project is approved with a budgetary reduction for Beneficiary 2 in amount of 73.640,27 euro for Infrastructure and works budgetary line.

Article 3. The reasons for rejection of the complaint are:

Some of the construction works are overestimated, as follows: the unit price of bituminous crushed stone (item No. III.1 of CE) is 126.50 BGN/t, but under the SKE the price must be 94.40 BGN/t; the price of unsorted crushed stone 0-63 (item No. II.1, II.2 and II 3 of CE) is 42.40 BGN/m³, but under SEK the price must be 21.48 BGN/m³.

The reduction of 73,640.27 euro proposed by the evaluators was made according to the rules set in the Applicant's Guide, Annex D - Ceilings of expenditure, item 71241000-9, which requires in elaboration of the Feasibility study to use the prices laid down in the reference book of Stroyexpert-SEK Consortium. Following the comparison of prices, it was necessary to reduce the total amount.

The argument invoked by the beneficiary in order to support their appeal is their previous experience in implementing similar projects. No supporting documents or other information were provided.

The point of view of the technical expert was asked regarding the appeal. The technical expert supports those already declared within the initial Report, recommending the budget reduction of the Beneficiary based on the same findings.

The Complaint Panel members consider that the arguments provided by the Beneficiary are not relevant nor sufficient and, therefore, rejects the appeal regarding the budgetary reduction of 73.640,27 euro.

Article 4. 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

