

National Programme for Croatia under the IPA – Transition Assistance and Institution Building Component for 2010

IPA 2010 - Supporting CSOs' contribution in designing, implementing, promoting and monitoring of sustainable development and environment protection policies

Publication reference: EuropeAid/131867/M/ACT/HR

QUESTIONS AND ANSWERS

Date: 6th October 2011

NOTE: The final decision concerning eligibility of an applicant, a partner, an action or specific activities will be made by the Evaluation Committee during the process of Evaluation of applications (subject to ex-ante control of the CFCA and Delegation of the EU).

NOTE: Questions may be sent by e-mail or by fax no later than 21 days before the deadline for the submission of applications. Final version of Q&A will be published no later than 11 days before the deadline for the submission of applications.

QUESTIONS

ANSWERS

Date: 23 August 2011

1. In the Guidelines for Applicants page 16 it is stated that VAT is ineligible cost. Does this mean that Beneficiary institution should cover VAT costs incurred during the implementation of the project?
Can VAT cost paid by Beneficiary institution be included in Applicant contribution?

Please note that IPA grant contracts are exempt from Value Added Tax (VAT) according to „Pravilnik o porezu na dodanu vrijednost“ *Official Gazette 149/09, article 102, point (6)* and therefore the cost of VAT should not be covered by Grant Beneficiary.

Additionally, due to above mentioned and a fact that VAT is ineligible cost, according to GfA chapter 2.1.4., please note that VAT cost paid by Grant Beneficiary can not be included in Applicant contribution.

However, in a cases were Beneficiary cannot recover VAT it shall be decided on case by case basis whether the following expenditure is eligible if following conditions are fulfilled:

- (i) the value added taxes are not recoverable by any means;
 - (ii) it is established that they are borne by the final beneficiary;
- and

	(iii) they are clearly identified in the project proposal.
Date: 30 August 2011	
2. Can regional development agencies (RDAs) from Croatia participate in project applications as partners? Our agency is publicly owned and delivers public services as a public equivalent body. However, it is registered as a d.o.o. (Ltd).	<p>As it is stated in the Guidelines for Applicants, chapter 2.2.4. <i>Further information for the Concept Note</i> - in the interest of equal treatment of applicants, the Contracting Authority cannot give a prior opinion on the eligibility of an applicant, a partner, an action or specific activities. Eligibility of the Applicants and Partners will be assessed by the Evaluation Committee during the evaluation process and it will be subject of <i>ex-ante</i> control performed by the EU Delegation.</p> <p>List of criteria that partners have to fulfil is stated in the Guidelines for Applicants, chapter 2.1.2 <i>Partnerships and eligibility of the partners</i></p>
Date: 5 September 2011	
3. Considering that the Guidelines for IPA 2010 grant applicants has determined that public academic institutions and public higher education institutions may apply as project partners, we would like to be sure that they are allowed to receive fees for the engagement in the project. To be more specific, in case an extracurricular course is organized in cooperation with professors from specific faculty, is it allowed to pay the fee to the faculty which will pay then the fee to the involved professor.	<p>Please note that the employees of the partner institutions involved in the project are not external experts and cannot receive fees, regardless of whether they have the status of a civil/public servant or not. Any staff member of the partner institution foreseen for delivering any input should be presented in heading 1 of the Budget (Human resources) and his/her salary, if paid from public budget, will be considered as co-financing.</p> <p>However, in case a specific expertise is required for implementation of a project, an expert may be engaged and envisaged in the Annex III: Budget for the Action under budget heading 5: Other costs and services. The experts engaged in such a way may not be employees of the applicant or partner institution receiving a grant for an operation which falls within the normal framework of their activities.</p> <p>In case public servants (from institutions not defined as applicant or partner institutions) are engaged as experts on daily or hourly fee, they should not work in their working time paid by their original employer and should have consent of the employer. Their engagement should not go against any national law.</p>

<p>4. Related to your explanation regarding the answering indicative timetable, does it mean that we may expect the answer to our question not before October 6th? Or we will receive it earlier, and the cumulative answers will be published on 6 Oct?</p>	<p>Please note that according to Guidelines for Applicants point 2.2.4, article 6.4.4 of Practical Guide to Contract procedures for EU external actions (PRAG) and in the interest of equal treatment of all applicants, questions and respective answers will be published on 6th October 2011.</p>
<p>Date: 13 September 2011</p>	
<p>5. Is pre-financing provided to applicants? If so, how much is provided at the beginning of the project?</p>	<p>Payment procedures are set out in Article 4.2 of the Special Conditions and correspond to one of the options set in the Annex II – General Conditions Article 15.1. For the a.m. grant scheme one of the following options will apply:</p> <p>Option 1: Actions with an implementation period not exceeding 12 months or where the financing provided by the Contracting Authority does not exceed EUR 100 000</p> <p>The Contracting Authority will pay the grant to the Beneficiary in the following manner:</p> <ul style="list-style-type: none"> • pre-financing of 80% of the sum referred to in Article 3.2 of the Special Conditions following the provisions in Article 4.3 of the Special Conditions. • the balance within 45 days of the Contracting Authority approving the final report in accordance with Article 15.2, accompanied by a request for payment. <p>Option 2: Actions with an implementation period of more than 12 months and where the financing provided by the Contracting Authority is more than EUR 100 000</p> <p>The Contracting Authority shall pay the grant to the Beneficiary in the following manner:</p> <ul style="list-style-type: none"> • an initial pre-financing installment of 80% of that part of the estimated budget for the first 12 months financed by the Contracting Authority by applying the percentage to eligible costs laid down in article 3.2 of the Special Conditions, following the provisions in Article 4 of the Special Conditions. • further pre-financing installments designed to normally cover the part of the Beneficiary’s financing needs for each twelve month period of

	<p>implementation of the Action financed by the Contracting Authority by applying the percentage to eligible costs laid down in article 3.2 of the Special Conditions. Payment will be made within 45 days of the Contracting Authority approving an interim report in accordance with Article 15.2,</p> <ul style="list-style-type: none"> • the balance within 45 days of the Contracting Authority approving the final report.
<p>Date: 15 September 2011</p>	
<p>6. Regarding the eligible partners could you please clarify is, for example, the Department for environment protection of City of Zagreb eligible or it is necessary that Office of Major be a partner in the project? Another example is that partner is Office for environment protection of County and not the Office of county prefect? In the Guidelines for applicants it is stated that local authorities are eligible partners and we assume that we can chose any office we would like to be partners with.</p>	<p>As already mentioned above, Contracting Authority can not give prior opinion on eligibility of applicant or partner thus prejudicing decision of the Evaluation Committee. Please note that the Beneficiary Institution is free to choose the project partners it considers needed for the implementation of the activities providing that they meet eligibility criteria stated in the Guidelines for Applicants, chapter 2.1.2.</p>
<p>Date: 26 September 2011</p>	
<p>7. Could we have clarification on partners? Beneficiary is an NGO based in Primosko-Goranska. Proposed partners are: Croatian Natural History Museum - Zagrebacka County and Split Institute - Splitska County. Could you please confirm that this fulfills the call, 3 partners from 3 counties, beneficiary is an NGO, partners are institutions/legal entities in public service delivery. In addition two local authorities will be partners to the project.</p>	<p>As it is stated in the Guidelines for Applicants, chapter 2.2.4. <i>Further information for the Concept Note</i> - in the interest of equal treatment of applicants, the Contracting Authority cannot give a prior opinion on the eligibility of an applicant, a partner, an action or specific activities. Eligibility of the Applicants and Partners will be assessed by the Evaluation Committee during the evaluation process and it will be subject of <i>ex-ante</i> control performed by the EU Delegation.</p> <p>Without any prejudice to decision falling under competence of Evaluation Committee concerning eligibility of applicant/partners, in the Guidelines for Applicants chapter 2.1.2 <i>Partnerships and eligibility of partners</i> it is stated that there is an unlimited number of partners allowed; however, an action should involve a minimum of two partner organisations from Croatia acting in the field relevant for this call for proposals (namely: sustainable development and environment protection policies).</p> <p>In addition, at least two partner organisations are to be registered in two different Counties of the Republic of Croatia (in case of the applicant being a national of Croatia, in two Counties different from the County(s))</p>

	<p>where the applicant is registered)¹. Applications that involve more than two partners with clearly identified roles and responsibilities of each partner will be given priority (preferably with more than two different legal statuses).</p>
<p>8. Can the applicant be an association which doesn't have official employee, only members who actively work on their field of work? Is it possible to plan the budget in a way to employ a person on a project, who will be than officially employed in the association during the project implementation?</p>	<p>In order to be eligible under this Call for Proposals, applicants have to be: nongovernmental organization or formal networks of non-governmental organizations of the following legal status: associations, business associations, trade unions, and foundations, as defined under section 2.1.1. <i>Eligibility of Applicants: who may apply?</i> of the Guidelines for Applicants.</p> <p>In line with section 2.2.4 of the published Guidelines for Applicants (GfA) in the interest of equal treatment of applicants, the Contracting Authority cannot give a prior opinion on the eligibility of an applicant, a partner, an action or specific activities. Verification of eligibility of the applicant and partner(s) will be carried out by the Evaluation Committee during evaluation procedure, specifically Step 4, in line with section 2.3 of the Guidelines for Applicants: Evaluation and Selection of Applications.</p> <p>However, please note that in the General Conditions article 1.2. it is stated „The Beneficiary shall implement the Action with the requisite care, efficiency, transparency and diligence, in line with best practice in the field concerned and in compliance with this Contract. For this purpose the Beneficiary shall mobilize all the financial, human and material resources required for full implementation of the Action as specified in the Description of the Action.“</p> <p>In line with a.m. the Beneficiary is free to organize project team it considers needed for the successful implementation of the project activities.</p>

¹ The County of registration is to be determined on the basis of the **official address of the association**, stated **in the extract from the Register of Associations**, administered by the Ministry of Public Administration of the Republic of Croatia.