



Republic of Serbia

MINISTRY OF FINANCE

Department for Contracting and Financing of EU Funded Programmes (CFCU)

Belgrade, 27 May 2022

CONTRACTING AUTHORITY'S CLARIFICATIONS

2nd Call for proposals: Cross-border Programme Serbia and North Macedonia 2016-2020 under the Instrument of Pre-accession Assistance (IPA II), allocations 2018, 2019, 2020

EuropeAid/173818/ID/ACT/Multi

No.	Question	Answer
1.	<p>Poštovani, Na PADOR registraciji postoji opcija Public Law body i Private and public law body. Koju od te dve biramo kao privatni univerzitet? Lako prilazemo LEF tj koji od 2 moguca prilazemo? Takodje, da se tretiramo kao profitna ili neprofitna ustanova? Pretpostavljamo da PADOR mora biti i skladu sa dokumentacijom koju prilazemo prilikom predaje projekta, da ne bismo dosli u eliminatornu situaciju.</p> <p><i>Unofficial translation</i> <i>Dear,</i> <i>In the process of registration in PADOR there are options- Public Law body and Private and public law body. Which one do we choose for the private university? How do we submit LEF, i.e. which of the 2 possible LEFs do we submit?</i> <i>Also, should we be treated as profit or non-profit institution?</i></p>	<p>According to the Guidelines for applicants, Section 2.2 <i>HOW TO APPLY AND THE PROCEDURES TO FOLLOW</i>, “information in PADOR will not be drawn upon in the present call”.</p> <p>Further, in line with the Annex D: Legal entity form (Annex 5.2) of the Guidelines for applicants:</p> <p>“1. Public law body WITH LEGAL PERSONALITY, meaning a public entity being able to represent itself and act in its own name, i.e. being capable of suing or being sued, acquiring and disposing of property, entering into contracts. This legal status is confirmed by the official legal act establishing the entity (a law, a decree, etc).”</p> <p>Regarding the eligibility of the applicants, please refer to Guidelines for applicants Article 2.1.1. Eligibility of applicants (i.e. lead applicant and co-applicant(s))</p> <p>“Lead applicant: (1) In order to be eligible for a grant, the lead applicant must:</p>

	<p><i>We assume that information in PADOR has to be in line with the documentation that we submit with the project proposal, so as not to be in the eliminatory situation.</i></p>	<ul style="list-style-type: none"> • be a legal person, and • be <i>non-profit-making</i>, and • be effectively established in³ either Republic of Serbia or Republic of North Macedonia, and • be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary, ...” ... <p>Guidelines for applicants Article 2.2.1 Application forms state that: “Please note that the following documents should be submitted together with the Organization data form and the application form: 1. <u>The statutes or articles of association of the lead applicant, (if any) of each co-applicant and (if any) of each affiliated entity.</u> Where the contracting authority has recognised the lead applicant’s, or the co-applicant(s)’s, or their affiliated entity(ies)’s eligibility for another call for proposals under the same budget line within 2 years before the deadline for receipt of applications, it should be submitted, instead of the statutes or articles of association, a copy of the document proving their eligibility in a former call (e.g. a copy of the special conditions of a grant contract received during the reference period), unless a change in legal status has occurred in the meantime. This obligation does not apply to international organisations which have signed a framework agreement with the European Commission.”</p>
2.	<p>Pishem Vi u ime Grad Skopje u vezi povik: Cross-Border Cooperation Programme Serbia - North Macedonia. Imam dilema dali sam Grad moze da se javi na povik, odnosno dali e eligible instucija ili ne? Pitam zaradi to shto vo sekcija: “Location as final beneficiaries the population of the programme are in the Republic of North Macedonia” nije bash najjasnie. Macedonia (MK): North – East region: municipalities of Kratovo, Lipkovo, Kumanovo, Staro Nagoričane, Rankovce and Kriva Palanka. Skopje region: municipalities of Aračinovo, Čučer Sandevo, Ilinden, Petrovec, Sopište,</p>	<p>Please refer to Guidelines for applicants Article <i>2.1.1. Eligibility of applicants (i.e. lead applicant and co-applicant(s))</i></p> <p>“Lead applicant: (1) In order to be eligible for a grant, the lead applicant must:</p> <ul style="list-style-type: none"> • be a legal person, and • be non-profit-making, and • <u>be effectively established in³ either Republic of Serbia or Republic of North Macedonia,</u> and • be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary, ...” ...

<p>Studeničani, Zelenikovo, and municipalities of Butel, Gjorče Petrov and Saraj of the City of Skopje.</p> <p><i>Unofficial translation</i> <i>I'm writing you on behalf of the city of Skopje regarding the Call: Cross-Border Cooperation Programme Serbia - North Macedonia.</i> <i>I have a dilemma whether city itself can apply for the Call, meaning if it's an eligible institution or not?</i> <i>I'm asking because in the section "Location as final beneficiaries the population of the programme are in the Republic of North Macedonia" its not clear enough.</i> <i>Macedonia (MK): North – East region: municipalities of Kratovo, Lipkovo, Kumanovo, Staro Nagoričane, Rankovce and Kriva Palanka.</i> <i>Skopje region: municipalities of Aračinovo, Čučer Sandevo, Ilinden, Petrovec, Sopište, Studeničani, Zelenikovo, and municipalities of Butel, Gjorče Petrov and Saraj of the City of Skopje.</i></p>	<p><i><u>Guidelines for applicants footnote 3:</u> To be determined on the basis of the organisation's statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located in an eligible country. The effective establishment of applicants should be proved not only with the statutes but with the registration certificate. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a 'Memorandum of Understanding' has been concluded.</i></p> <p>“Co-applicant(s) The lead applicant must act with at least one co-applicant as specified hereafter. <u>If the lead applicant is established in Republic of Serbia at least one co-applicant must be established in Republic of North Macedonia and vice versa. At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area”.</u></p> <p>Also, please refer to Guidelines for applicants Article 2.1.4. <i>Eligible actions: actions for which an application may be made,</i> section – locations.</p> <p><u>Location</u> Actions or operations must have as final beneficiaries the population of the programme area. They must take place in one or more of the following territorial units:</p> <p><u>In the Republic of Serbia:</u></p> <ul style="list-style-type: none"> • Jablanica district: City of Leskovac and municipalities of Bojnik, Lebane, Medveđa, Vlasotince and Crna Trava • Pčinja district: City of Vranje with two city municipalities: Vranje and Vranjska Banja, and municipalities of Vladičin Han, Surdulica, Bosilegrad, Trgovište, Bujanovac and Preševo <p><u>In the Republic of North Macedonia:</u></p>
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		<ul style="list-style-type: none"> • North – East region: municipalities of Kratovo, Lipkovo, Kumanovo, Staro Nagoričane, Rankovce and Kriva Palanka • Skopje region: municipalities of Aračinovo, Čučer Sandevo, Ilinden, Petrovec, Sopište, Studeničani, Zelenikovo, and <u>municipalities of Butel, Gjorče Petrov and Saraj of the City of Skopje</u>
3.	<p>Dear all,</p> <p>We are referring to the point “ineligibility of actions” stated on page 23. of the Guidelines for applicants:</p> <p>It is listed that “the following types of actions are ineligible: actions aimed at the upgrading of infrastructure and equipment in privately owned facilities”.</p> <p>If a project targets tourism rural households which previously undergo specific capacity building and training and are submitting business plans which aim to diversify and increase the quality of their offer under a transparent procedure – which together are expected to contribute to overall goal of the project and the fulfillment of indicators- would it be possible to allocate equipment/direct some activities to them which remain under the ownership of the project partners?</p>	<p>In line with the Guidelines for applicants, Section 2.2.4. <i>Further information about the applications</i>, in order “to ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.”</p>

<p>4.</p>	<p>Guidelines for grant applicants 2nd Call for Proposals (GfA) According to the Section 2.1.1 Eligibility of applicants of the GfA: At least two legal entities in the partnership, one per participating country, being the lead applicant or the co-applicant, must be effectively established or have an office in the programme eligible area. Question 1: Does it mean that only legal entities (applicant or co-applicant) effectively established or have office in programme eligible area are eligible for this call for proposals?</p> <p>Annex B: Budget Question 2: Is re-granting allowed?</p> <p>Annex E: Financial identification form Point 3 section 2.2.1. (Application forms) of Guidelines for grant applicant’s 2nd Call for Proposals: A financial identification form of the lead applicant conforming to the model attached as Annex E of these guidelines, certified by the bank to which the payments will be made. Question 3: Does Financial Identification Form (FIF) certified by the bank is necessary if copy of recent bank statement is attached?</p>	<p>1. Please refer to the answer for the question number 2.</p> <p>2. Please refer to Guidelines for applicants Article 2.1.4 <i>Eligible actions: actions for which an application may be made:</i></p> <p><i>“Financial support to third parties⁷</i> Applicants may not propose financial support to third parties. In other words, <u>sub-granting is not allowed under this call for proposals.</u>”</p> <p>Guidelines for applicants footnote 7: “These third parties are neither affiliated entity(ies) nor associates nor contractors.”</p> <p>3. Please refer to the Guidelines for applicants Article <i>2.2.1 Application forms</i> “Please note that the following documents should be submitted together with the Organization data form and the application form: ... 3. A financial identification form of the lead applicant (not from co-applicant(s)) conforming to the model attached as Annex E of these guidelines, <u>certified by the bank to which the payments will be made.</u> This bank should be located in the country where the lead applicant is established. If the lead applicant has already submitted a financial identification form in the past for a contract where the European Commission was in charge of the payments and intends to use the same bank account, a copy of the previous financial identification form may be provided instead.”</p>
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<p>Annex G: Standard grant contract By signing the Application Form (Annex A), the applicants agree, if awarded a grant, to accept the contractual conditions of the standard grant contract (complete Annexes G). In order to properly undusted rights and obligations of applicants please clarify Payment procedures indicated in Article 15 (Payment and interest on late payment) General Conditions as set out in Article 4 of the Special Conditions.</p> <p>Question 4: We understand that "Option 2 or Option 3 as set out in Article 15.1 of General Conditions" are only relevant for this call for proposals and future refinements in the In Article 4, point 4.1 Special Conditions. Does we understand it correctly?</p> <p>Question 5: Does the Contracting Authority provide pre-financing payments?</p> <p>Question 6: What is the minimum and maximum pre-financing rate?</p> <p>Question 7: In case of Initial pre-financing payment does the Contracting Authority, require a financial guarantee?</p>	<p>4. All options (1, 2 and 3) described in Annex G_2_General Conditions Article 15.1 are applicable for this Call, since the initial planned duration of an action or operation will meet the following requirements depending on the programme's specific objective addressed by the application, namely: minimum number of months is 12 and maximum is 18.</p> <p>5. The Contracting Authority provides pre-financing in compliance with Annex G_2_General Conditions Article 15.</p> <p>6. Please refer to the Annex G_2_General Conditions Article 15.1</p> <p>7. As defined in the template of the Annex G_1_Special Conditions: <u>If</u> a financial guarantee is requested: The first instalment of pre-financing shall be accompanied by a financial guarantee amounting to EUR <amount, usually the amount of the first prefinancing payment> and complying with the requirements of Article 15.8 of Annex II.</p> <p><u>If</u> the financial guarantee is requested, such provision shall be inserted in the special conditions of the contract after the successful award.</p>
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<p>5.</p>	<p>Dear Madam/Sir,</p> <p>we have question regarding Second Call for Proposals CBC Serbia - North Macedonia.</p> <p>Municipality of Bosilegrad has two partnership municipalities from North Macedonia interested in applying for grant under this call.</p> <p>Can we, as municipality, have two applications with two different municipalities from North Macedonia in both we will be partners not lead applicant?</p> <p>Do this applications must be from different thematic priority of this Call or we can apply with two different project proposals from same thematic priority?</p>	<p>5. Please refer to Guidelines for applicants Article 2.1.4 Eligible actions: actions for which an application may be made</p> <p><u>Section <i>Number of applications and grants per applicants / affiliated entities</i></u>⁸</p> <p>The lead applicant may not submit more than 1 application per thematic priority under this call for proposals.</p> <p>The lead applicant may not be awarded more than 1 grant under this call for proposals.</p> <p>The lead applicant may not be a co-applicant or an affiliated entity in another application of the same thematic priority at the same time.</p> <p>A co-applicant/affiliated entity may not be the co-applicant or affiliated entity in more than 1 application per thematic priority under this call for proposals.</p> <p>A co-applicant/affiliated entity may not be awarded more than 1 grant under this call for proposals.</p> <p><u>Guidelines for applicants footnote 8:</u></p> <p><i>The lead applicant/co-applicant/affiliated entity may not submit more than 1 application per thematic priority under this call for proposals. A lead applicant/co-applicant/affiliated entity may not be awarded more than 1 grant under this call for proposals.</i></p> <p><i>Failing to comply with all requirements related to the number of applications per applicants / affiliated entities may lead to rejection of all applications where the lead applicant/co-applicant/affiliated entity appears.</i></p> <p><i>In case that one legal entity, being lead applicant, co-applicant or affiliated entity, is placed on both lists for financing, the award criteria will be better overall score of the project proposal, regardless of the ranking position on the particular list for financing.</i></p>
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6.	<p>Postovani,</p> <p>imamo pitanje koje se tice Poziva za podnosenje predloga projekata u okviru IPA Programa prekogranicne saradnje Srbija-Severna Makedonija 2016-2020.</p> <p>Da li vodeca organizacija iz Srbije moze da bude iz Nisa, a partner da bude iz Vranja, a partnerske iz Makedonije da budu iz Kumanova i Skoplja.</p> <p><i>Unofficial translation</i></p> <p><i>Dear,</i></p> <p><i>We have a question regarding the Call for proposals for IPA programme for Cross border cooperation Serbia-North Macedonia 2016-2020.</i></p> <p><i>Can the lead organization from Serbia be from Niš and partner from Vranje, partners for Macedonia from Kumanovo and Skoplje?</i></p>	Please refer to the answer for the question number 2.
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