**ENI JOP Romania – Republic of Moldova 2014-2020**

**Assessment Manual**

**Hard and Soft projects**

**STEPS 2&3**

**Stage I - STEP 2 Technical and financial evaluation**

**Stage II Submission of the additional (technical) documents (only for HARD projects)**

**STEP 3 Evaluation of the additional documents**

**Related annexes**

Annex J.2 Evaluation Grid Step 2 (SOFT projects)

Annex J.3 Evaluation Grid Step2 (HARD projects)

Annex J.2 Step 3 Additional documents check (HARD projects)

Annex J.4 Evaluation Grid Step3 (HARD projects)

Annex 12 Request for clarifications by the external assessor

**Note: All other annexes to the Assessment Manual STEP 1, already approved by the JMC JOP ROMD 2014-2020, remain valid / in force.**

**I. STEP 2 Technical and financial evaluation**

STEP 2 of evaluation will start immediately after the administrative compliance and eligibility check is finalized, and the Evaluation report for step 1 was approved by the JMC..

Only the applications which have passed the administrative compliance and eligibility check will undertake this stage.

| **ACTORS** | **MAIN TASKS** |
| --- | --- |
| **Applicants** | * Provide clarifications, as required, within the deadlines indicated in the PSC letter (into EMS-ENI system and in hard-copy version) |
| **PSC secretary** | * Distributes projects to the external assessors (2 assessors per project), * Performs preliminary verification of the form of the evaluation grids, requests revisions of the text in case of inconsistencies between the score and conclusions & recommendations, if the case may be. * If approved by PSC, prepares and sends clarification letters to the applicants and may contact them to ensure that responses will be sent in due time. * Registers hard-copy versions of the clarifications into the Register, archive them in safe location, unopened * Supports PSC in preparing the Evaluation Report and any revision of it, submits the report to JMC for approval * Notifies the applicants on the outcomes of evaluation and keeps evidence of such communications (fax, e-mail) |
| **PSC coordinator** | * Ensures the overall management of the PSC proceedings * Coordinates the activity of external assessors * Informs the Programme bodies (MA/JMC) in case PSC consensus is not reached, or the working principles are broken, including confidentiality and secrecy, or avoidance of any conflict of interest * Endorses letters of clarification and notifications to the applicants on behalf of PSC * Performs preliminary verification of the form of the evaluation grids, requests revisions of the text in case of inconsistencies between the score and conclusions&recommendations, if the case may be. |
| **External assessors** | * Sign Declarations of impartiality and confidentiality, and Declarations regarding the conflict of interest, forward them to PSC secretary * Perform technical and financial evaluation of the projects attributed, and each assessor fills in the evaluation grid for each project assigned and uploads it into EMS-ENI system * Revise, as required, the evaluation grid and, if the case, propose PSC to request clarifications from the applicants * Analyse clarifications received and finalize the evaluation grids * Participate to PSC/JMC meetings, as required * Sign the hard copy version of the Evaluation Grids and forwards them to the PSC Secretary. |
| **Project Selection Committee** | * Decides if the clarifications requested by the external assessors are appropriate * Performs the check of the individual grids filled by the external assessors, analysing the consistency and coherence of the score awarded, and may request the concerned assessor, if needed, for revisions of the grid. * May ask **only once** for the 3rd assesor to perform the evaluation (e.g., there are inconsistencies between the scores awarded, respectively 35 points, according to the Guidelines.) * Based on the common evaluation grids, prepares the Evaluation Report (step 2) * Using the ranking factors detailed in the Guidelines for grant applicants, prepares the list of selected projects, projects put on the reserve list and projects rejected (from further evaluation) |
| **Joint Monitoring Committee** | * Analyses the Evaluation Report (step 2), issues decision approving the evaluation report and the annexed lists of selected projects, rejected projects and projects put on the reserve list * The scores resulted following the evaluation may not be changed by the JMC. Only in duly justified cases, thoroughly substantiated in written, may request a third assessor to perform a supplementary evaluation (e.g when is not satisfied with the consistence and coherence of the scores awarded) * The access for JMC members will be granted for one (1) week, at the end of Step 2, after the elaboration of the Evaluation Report for Step 2 and after the Evaluation Reports for Step 2 is uploaded in EMS-ENI. During this period the JMC members are only allowed to download the Evaluation Reports and the project proposals for reading purpose. |
| **Managing Authority** | * Provides procedural support. |
| **Observers** | * Participate to PSC/JMC meetings |

**Timing / Deadline**: It is expected that each external assessor to evaluate a minimum of 3 AF per week. **I.1. Technical and Financial Assessment**

Purpose of the stage is, on one hand, to evaluate the projects against the objectives, priorities, and contribution they bring to programme Results and Outputs and, on the other hand, to select proposals which maximise the overall effectiveness of the call and clearly contribute to achievement of programme Results and Outputs indicators.

During this stage, the following shall be considered:

* Regularly, each project is evaluated by 2 external assessors following the “4 eyes” principle. Each assessor shall compile one evaluation grid per project. In order to keep the pace of evaluation, minimum 3 projects per week must be fully evaluated by each assessor.
* The evaluation grid for step 2 provided in the Guidelines for grant applicants and the application packages uploaded into EMS-ENI system are to be used. In case of EMS-ENI malfunction, provisions at section III. of the present Manual shall apply.
* In order to be accepted by PSC/JMC and not be subject for revision, any evaluation grid must satisfy the quality requirements:
* Scores are awarded and comments are given for each evaluation criterion and,
* Comments are consistent, project-specific and coherent with the score awarded, and references to the project are made. Comments synthesize the professional judgement of the assessor and,
* The Programme and call requirements are fully met and,
* Final conclusions and recommendations are project-specific, with special attention to the eliminatory criteria/sections; summarize the main strengths and weaknesses, and focus on the contribution that the project brings to Programme indicators.
* If the evaluation grids are accepted by PSC, the final score per project is the average of scores awarded by the respective two assessors.
* PSC /JMC cannot change the scores awarded by external assessors, instead they may request revision of any evaluation grid in case that:
* The grid is incomplete or of poor quality (e.g. it has blank comment boxes, comments, conclusions and recommendations are weak, irrelevant or too general, not supporting the score awarded, they do not reflect the assessor’s opinion on the topic and do not support PSC/JMC in taking an informed decision),
* Discrepancies between the scores awarded and the comments given are identified,
* Scarce references to the project content are made,
* The Programme and call requirements are not met
* In case the difference between the overall scores awarded by assessors goes over the threshold set by the call, EMS ENI system automatically requires a 3rd assessor to perform the check, and PSC shall approve the supplementary assessment. In such case, the final score per project is the average between scores awarded by the assessors having the 2 nearest overall scores.
* Using the evaluation grids uploaded by each assessor into EMS-ENI, the common evaluation grid for the project will be generated in a PSC meeting, and the PSC members will discuss it and approve it.
* A project shall only be rejected if it is found in the situations listed in the section bellow (“Reasons for project rejection”). Even so, the evaluation grid must be fully filled in.
* If the project does not fall under the situations listed in the section bellow (“Reasons for project rejection”) but information provided is unclear or inconsistent, thus preventing from an objective evaluation, the assessor may propose PSC to request clarifications from the applicant. The request can only be accepted if it does not improve or modify the Application Form.
* Based on the request for clarifications justified by the assessor, PSC decides on the appropriateness of the requests of clarification proposed by external assessors. If positive, letters are sent to the applicants. In this respect, PSC secretary may contact the applicants to ensure that responses will be given in due time.
* The external assessors and the PSC members should be aware that it is advisable to have max. 2 letters to requests for clarifications per project, **not tackling the same project issues.** Deadline for submitting clarifications cannot be shorter than 2 working days and cannot go over 10 calendar days per request (from the date following that when PSC letter is sent). The specific period will be set by PSC, by applying the principles of proportionality and equal treatment for all applicants. For requests that do not involve provision of official documents to be issued by third parties, or for a small amount of clarifications, the PSC will set a reduced number of days for receiving clarifications, generally less than 6 working days.
* The applicants concerned by the request for clarifications will be informed in writing about the issues to be clarified, as well as about the deadline set for submitting the clarifications. Moreover, in the respective letter, PSC will inform the applicants about the consequences of not complying with the deadline.

In order to be selected or put on the reserve list, the projects must receive the minimum scores set for the eliminatory criteria and the minimum overall score, as provided by the Guidelines for grant applicants. Otherwise, it shall be rejected in this step.

In case situations leading to rejection occur, they must be carefully analyzed by the external assessors and the PSC, and referred to the provisions of the Guidelines for applicants and of the Manual.

In case that information lacks consistency in different parts of the application package, data provided in documents signed by the legal representatives shall prevail over the data inserted into the application form. In case of inconsistencies between different parts of the Application Form, information leading to the most favourable decision for the project will be considered.

**Reasons for project rejection**

1. The project does not receive the minimum score required for at least one eliminatory criteria[[1]](#footnote-1)/section, as provided by the *Guidelines for grant applicants* for the respective call.
2. The project does not receive the minimum overall score[[2]](#footnote-2), as required by the call.
3. Beneficiary did not upload into EMS-ENI and/or did not sent in hard-copy version until the deadline the clarifications requested by PSC.
4. The hard-copy version of clarifications is received after the Evaluation Report (step 2) is finalized by PSC.
5. The Project Registration Number is not mentioned in the Answer to request for clarifications
6. Clarifications requested have not been provided, or are incomplete when referenced to PSC letter.
7. A project submitted under the call for HARD projects does not have an infrastructure component, or the infrastructure component amounts at less than 1 M€[[3]](#footnote-3). Situation may occur when:

**⦁** The infrastructure component does not meet the Programme definition, as provided by the *Guidelines for grant applicants* or the Corrigendum to the Guidelines.

⦁ Eligible costs have been reduced during evaluation, following the recommendations of the external assessors/PSC at headings 3. *Infrastructure + 10. Contingency reserve* and the remaining amount becomes less than 1 M€;

1. Ineligible, unnecessary or unjustified costs were proposed to be cut and consequently, the requested grant is smaller than the minimum grant set per priority for the respective call.

**Reasons substantiating the project rejection must be explained in the Evaluation Report. They are also to be indicated in the notifications sent to the projects rejected at the end of this step**

**Guidance to the Project Selection Committee**

1. In case of discrepancies between the Manual and the *Guidelines for grant applicants*, provisions of the *Guidelines for grant applicants* shall apply. If the Guidelines or the Manual have no provisions for how to address a particular situation, PSC shall decide on a case by case basis, by observing the working principles foreseen by the Manual and based on the Programme documents – Programme, Guidelines.
2. At any point during evaluation, PSC, NA or MA may be consulted through written procedure on specific situations which may arise in the process. In order to keep the pace of evaluation, adequate priority should be given to such requests
3. Projects are distributed weekly, as sets, to external assessors by PSC secretary; each set comprises at least 2 projects. Each assessor shall manage his/her own working effort so that, at the end of each week, the set of the projects attributed is fully assessed, meets the quality requirements, and the evaluation grids are uploaded into EMS-ENI system. Exception is to be made only in case that the assessor proposes PSC to request for clarifications. The respective project must not fall under the situations listed above (in point e).
4. Based on the application packages uploaded into EMS-ENI system, each project is assessed by 2 external assessors and, as result, two Evaluation Grids are compiled. Each evaluation grid uploaded into EMS-ENI system must be fully filled in, and all the criteria from the grid must be scored. Scores given per criterion will be accompanied by comments and references to the project content. Final conclusions and recommendations must be clear and project-specific.
5. In order to be accepted by PSC/JMC and not be subject for revision, any evaluation grid must satisfy the quality requirements:

⦁ Scores are awarded and comments are given for each evaluation criterion

and,

⦁ Comments are consistent, project-specific and coherent with the score awarded, references to the project are given. Comments synthesize the professional judgement made by the assessor

and,

⦁ The Programme and the Call requirements are met

and,

* Final conclusions and recommendations are project-specific, summarize the main strengths and weaknesses of the project, especially those related to project contribution to Programme indicators, or further actions to be taken by the Programme in case the project is to be contracted
* PSC Coordinator and / or Secretary performs a preliminary verification of the evaluation grid (prior to the PSC meeting), ensures that these are fully filled in, all the criteria are scored, comments are provided in relation to scores awarded, references to the project are given and final conclusions/recommendations are made. If such deficiencies are found, PSC Coordinator and / or Secretary may ask the respective external assessor for revisions. The revisions should be performed in parallel, and an updated grid has to be uploaded in EMS ENI in a 2 working days interval.

1. Revision of the evaluation grid may be requested by PSC in case that:

⦁ The evaluation grid is incomplete or of poor quality (e.g. has blank comment boxes, the comments, conclusions or recommendations are weak, irrelevant or too general, not supporting the score awarded, they do not reflect the assessor’s opinion on the topic and do not support PSC/JMC in taking an informed decision.)

⦁ Discrepancies between scores and the given comments are identified.

⦁ Scarce references to the project content are made.

⦁ The Programme and the call requirements are not met.

1. If full and objective verification cannot be performed due to missing/incorrect information and/or documents, clarifications may be requested.
2. If situation from point (g) arises, external assessor may propose PSC to request clarifications from the applicant. Such request can only be accepted if it does not improve or modify the project content.
3. In case request for clarifications is proposed to PSC, the assessor must fill in a Request for clarifications by the Assessor (Annex 12) and explain, per project and per partner, the reasons for her / his request.
4. Based on the Request for clarifications by the Assessor, PSC decides on the appropriateness of the requests, more specifically if they might improve or modify the Application Form. PSC decisions are recorded and substantiated in the Evaluation Report (step 2) (Annex 9).
5. In case of positive decision, based on the Request for clarifications by the Assessor (Annex 12), letters to request for clarifications (Annex 6) are prepared and sent by PSC to the applicants.
6. It is recommended that only 2 letters for requesting clarifications per project, **but not tackling the same issue**, to be sent during this evaluation step, therefore, the issues to be clarified must be clearly explained, per project and per partner, in the respective Request for clarifications by the Assessor. Deadline for submitting the clarifications by the applicant cannot be shorter than 2 working days and cannot go over 10 calendar days (per request) from the date following that when PSC letter is sent. The respective period will be set by PSC, by applying the principles of proportionality and equal treatment for all applicants. For requests that do not involve provision of official documents to be issued by third parties, or for a small amount of clarifications, the PSC will set a reduced number of days for receiving clarifications, generally less than 6 working days.
7. The letter for requesting clarification will inform the applicant that clarifications must be uploaded into EMS-ENI system within the deadline set and to be sent also in hard-copy version at the JTS headquarters. Moreover, in the respective letter, PSC will inform the applicants about the consequences of not complying with the deadline (rejection of the application)
8. In case PSC decides to send more than 2 letters of clarifications to the same project, only if the external assessor asks for the 3rd request for clarification, the situation must be explained in the Evaluation Report (step 2), while duly considering the equal treatment principle. Hard-copies of clarifications must also be delivered until the deadline set by PSC, as shown by the stamp of postal services, tracking number of courier services, or the acknowledgement of receipt in case of hand deliveries.
9. Late entry of hard copies is accepted proven that the delivery date does not go over more than 30 days after the deadline. In exceptional cases and under the condition that the Evaluation Report (step 2) has not been yet concluded, PSC may accept hard-copies received even later.
10. All hard-copies received are registered by PSC secretary into the Register(Annex 1.1).
11. Envelopes need to bear at least the Project Identification Number as minimum identification data of the project, and under the condition that the respective number can be retrieved into EMS-ENI system. Envelopes containing hard-copies shall be kept in safe location, unopened, except for situations specifically indicated in the Manual, or at the beginning of the contracting phase. Exception is made if the outer envelope containing the hard-copy does not indicate the Project Registration Number. In this case, PSC will take due diligence to identify the project proposal for which the clarifications have been submitted in print version. .
12. After being informed by PSC secretary that clarifications are uploaded into EMS-ENI system, external assessors have 1 extra-day to resume their work, finalize the evaluation grids and upload them into EMS-ENI. In case the requested clarifications **were not sent or are incomplete, the project shall be rejected**.
13. Based on the evaluation grids filled in by external assessors, the EMS-ENI will generate a common evaluation grid. The final score per project is the average of scores awarded by assessors. The score per criterion is the average between scores per criterion given by the assessors.
14. In case a difference of more than 35 points (in case of HARD projects), or of more than 25 points (in case of SOFT projects) is identified between the overall scores given by assessors, the 3rd assessor shall be called to re-perform evaluation[[4]](#footnote-4). In such case, the final score per project is the average of scores awarded by the assessors having the two nearest total scores. The score per criterion is the average between scores per criterion given by the assessors having the two nearest total scores. If particular situations arise, PSC will address them case by case.
15. PSC decision on the projects to be selected, put on the reserve list or rejected will be taken by consensus. Ranking is done by using the methodology described in the *Guidelines for grant applicants.*
16. If several proposals will be awarded the same overall score at the end of Step 2, in order to determine the final ranking on the list, the following supplementary criteria are to be taken into account in the following sequence (according to the Guidelines for the Applicants, chapter 3.1.2 Technical and financial evaluation):
    * 1. **the score awarded at section 1.2 Contribution to the Programme**
      2. **the score awarded at section 1.1 Relevance**
      3. **the score awarded at section 3.1 Technical feasibility**
17. The Secretary draws up the list of projects which are provisionally selected, and of those included on the reserve list. Only projects with an overall score of more than or equal to 99 points (for HARD projects) / 65 points (for SOFT projects) can be provisionally selected or included on the reserve list.
18. The final list of selected applications will be limited - in accordance to the ranking - to those whose sum of requested contributions amounts the available budget for this Call for proposals. Applications listed, but falling outside the available budget, may be put on the reserve list, pending on the Project Selection Committee’s proposal to JMC.
19. The Project Selection Committee voting members will gather every two weeks, in order to check for consistency the evaluation grids. The PSC meetings will be organized with the support of the Secretary and under the supervision of the Coordinator. If the PSC will decide to change the frequency of the meetings, this will be recorded in the Minute of the meeting, and will be duly justified by the PSC members

The Coordinator of PSC will inform the MA weekly (Friday) about the progress of the evaluation process.

1. At the end of step 2, with the support of the Secretary, based on the evaluation grids, PSC prepares the Evaluation Report (Annex 9). The report is signed by all PSC members and is accompanied by evidence necessary to document this step, such as:

⦁ attendance lists

⦁ minutes of the meetings, any written correspondence with the applicants / MA / NA etc.

⦁ Declarations of impartiality and confidentiality

⦁ Declarations regarding the conflict of interest

⦁ Results of the work done by the evaluation team (evaluation grids)

⦁ Requests of clarification proposed/approved/answered

⦁ Lists of projects selected / put on the reserve list / rejected (from further evaluation)

1. The Evaluation Report is sent to JMC for approval. JMC cannot change the scores or the ranking proposed by PSC, but may request revision of the evaluation grids in case the requirements are not met. The Joint Monitoring Committee will issue a decision concerning the approval of the Evaluation report and its annexes- list of the provisional selected projects and the reserve list, as well as list of the rejected projects.
2. Following JMC’s decision on the list of projects selected, put on the reserve list and rejected (from further evaluation), PSC secretary send notifications on the outcomes of evaluation to all the applicants. Evidence of such communications is kept by PSC secretary.

**Procedures and communication with external assessors**

Once the number of applications admitted for technical and financial assessment is known, as well as their thematic content (objectives and priorities), the Coordinator of the PSC, in consultation with the representative (team leader) of the for the respective Call of Proposals must designate the external assessors for each project proposal .

The PSC Coordinator will keep track of the Applications evaluated by each external assesor.

External assesors will perform the evaluation remotely. Each external assessor will have an EMS-ENI account and will receive an access password; for that, the Coordinator will provide the list of external assessors to the JTS IT administrator (EMS-ENI application administrator), who will open the accounts and will provide the passwords.

It is forbidden for the external assesors to communicate with each other with respect to the assigned & assessed applications. Evaluation will be performed strictly on the basis of the Application Form, its annexes and documents provided in EMS-ENI. Each proposal shall be evaluated based on its own merits, without comparison with other project proposals or other points of view.

Weekly, each external assessor will fill the assigned individual grid in EMS ENI. During each project’s assessment, the grid will be saved as draft, and at the end of the project’s evaluation (the latest at the end of the week) the grid will be saved as finalized (using the commands *Finalize evaluation* and *Print*).

When filling in the J3 grid, at the end of the grid, the external assessor will fill the final part - Summary of Conclusions – with a clear abstract / sum-up text for each grid’s chapter:

1. **Project Relevance (conclusions and recommendations)**
2. **Quality of Projects Design (conclusions and recommendations)**
3. **Project Viability (conclusions and recommendations)**
4. **State Aid Assessment (conclusions and recommendations)**

After completing the grid for the project, the external assessor will save the grid into a .pdf file on their desktop, then print the first and last page of the EMS ENI grid, sign these two pages (for each grid). The external assessor will upload into EMS ENI the .pdf version of the grid with no signature (using the command *Browse*) and close it (using the command *Close evaluation request*).

If PSC asks for a revision of the grid, then the external assessor will revise it and repeat the steps mentioned above (finalize the revised evaluation, save the revised grid on the desktop, print first and last page, upload the pdf version of the grid with no signature and close evaluation request). Both versions of the grid will be stored in EMS ENI.

The originals (the first and the last pages of each grid) will be signed by the external assessor and forwarded to the PSC Coordinator or Secretary through the Team Leader; the IT Administrator and / or the Secretary will upload the pages with signature in the pdf version of the grid. The final pdf version of the grid (with signatures) will be part of the electronic form of the final report, and the originals will be part of the printed version of the final report.

When asking for clarifications, the Team Leader (on behalf of the external assessors) will upload all the Requests for clarifications by external assessor into BRCT IS cloud. The IT JTS EMS application administrator will provide to the Team Leader a username and a password. The requests for clarifications should be uploaded into the cloud on a regular basis (1-2 times per week).

The Coordinator / Secretary will check EMS ENI weekly for making sure that at least the grids’ drafts exist in the electronic system, so they could perform a preliminary check (prior to the PSC meeting) of the consistency between the scores and the recommendations & conclusions, and – if necessary – to ask for revisions of the text prior to the next PSC meeting. If PSC or the Coordinator / Secretary will ask for revisions of some grids, a table indicating the project’s registration number, username of the external assessor and the issues to be looked over will be uploaded into the BRCT IS cloud, so the Team Leader to be able to download it from the cloud. The reviewed grid should appear into EMS ENI in maximum 2 working days after the date the table was uploaded into cloud.

Each evaluator is required that at the end of each week to upload in EMS-ENI a minimum of 2 individual evaluation grids completed (equal for soft projects and hard projects). They will be permanently kept in the EMS-ENI along with the common grids generated into the EMS-ENI.

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**I.2. Notification of successful and unsuccessful applicants**

**Responsible**: The Secretary, the Coordinator

**Timing / Deadline**: Notifications are sent within maximum 10 working days since receiving the JMC’s approval on the Step 2 Evaluation Report.

**Methodology:**

The Secretary sends letters to all applicants ([**Annex 8**](#_Annex_E_8.1)), indicating the results of evaluation process, to the selected projects, projects listed as reserves, projects rejected. In case of HARD projects, the provisionally selected applicants, as well as those on the reserve list are informed of the future steps to follow - the additional technical documents (according to the Guidelines for applicants) that must be submitted within the next 6 months, to be assessed in Step 3.

The unsuccessful applicants are informed about the overall score awarded, and reasons for rejection, as per conclusions of the evaluation grid.

**II.3. Appeal to Step 2 results**

Applicants considering that they have been harmed by an error or irregularity during the selection process may file an appeal.

An appeal is considered admissible if the applicant can substantiate that the decision of the evaluators, communicated by the Project Selection Committee, infringes the provisions of the Guidelines for grant applicants for the Call for proposals.

Only the Applicant may submit an appeal. The appeals submitted by a partner or by any other third party - including National Authorities, Joint Monitoring Committee members etc. - will not be considered. It is the responsibility of the Applicant to collect and bring forward the complaint reasons from any project partner.

**In order to be considered, an appeal must**:

1. Be submitted in writing, by letter signed and stamped according to the relevant legal provisions in force by the legal representative of the Applicant.
2. Be written in English language.
3. Clearly describe the infringement considered as being made by the Project Selection Committee and make clear references to the corresponding provisions of the Guidelines for applicants for the present Call for proposals and to the information provided the Project Selection Committee through the notification announcing the result of the concerned evaluation step.
4. Indicate the registration number of the application which is the subject of the appeal.
5. Be dispatched by mail, courier or fax within 10 calendar days (as evidenced by the date of dispatch, the postmark or the date of the deposit slip, or a fax received confirmation / fax delivery confirmation) from the date when the written notification announcing the result of evaluation Step 2 has been sent by the Project Selection Committee, to the following address:

**Secretariatul Tehnic Comun / Joint Technical Secretariat**

Biroul Regional pentru Cooperare Transfrontalieră Iași / Regional Office for Cross Border Cooperation Iași

2A, Dimitrie Ralet Street, 700108 Iași

Iași County

**Telefon**: +40 372 444 884

**Fax**: +40 372 444 880

ROMANIA

Attn. of: Coordinator of the Project Selection Committee for HARD / SOFT Projects

Please note that, for administrative reasons, the appeals received by the Joint Technical Secretariat after more than 20 calendar days from the date when the written notification announcing the result of an evaluation step has been sent by the Project Selection Committee may not be considered.

Appeals that do not comply with the above mentioned requirements will be rejected without further consideration.

The single source of information that may be invoked by the appeal is the notification sent by the PSC. Appeals which indicate other sources of information will not be considered.

Answer to the Applicant will be communicated in writing in maximum 60 calendar days from the receipt of the appeal. However, the final decision on the list of selected projects and of the reserve list is taken by the Joint Monitoring Committee of the Programme. Consequently, the final decision concerning the appeal may be communicated in the set deadline, subject to the availability of the Joint Monitoring Committee to meet in this period.

The decision of the Project Selection Committee on the appeals received is final, and no other supplementary complaint submitted will be considered. However, the Applicant may use a legal way to complain.

PSC will assign a registration number to each appeal received, and will send the appeal to PSC Coordinator. When receiving one or more appeals, the Coordinator will convoke – as soon as possible, and after the deadline for submitting the appeals expires – the Project Selection Committee. The Project Selection Committee will analyse the received appeals, and will reject them if PSC considers that an indepth analysis is not justified, if these appeals do not respect all the above mentioned requests.

The appeals that fulfilled the above mentioned criteria will be analysed by the PSC that will check if all the above mentioned elements were answered, and if there were material errors during the assessment/evaluation. The project is asigned to a 3rd external assessor, and the score of the 3rd external assessor will be the final score of the project.

If, after appeal, there are projects that obtain a better score and they are going up into the main list, the project(s) that are going down from the main list to the reserve list will be notified by the Coordinator within 5 days since the JMC decision regarding the final list of approved projects.

**II.1 Stage II Submission of the additional (technical) documents / STEP 3: Evaluation of the additional documents (only for HARD projects)**

| **ACTORS** | **MAIN TASKS** |
| --- | --- |
| **Applicants** | * Submit online in EMS-ENI and send hard-copy of additional documents within the deadlines specified in PSC notification * Provide clarifications, as required, within the deadlines indicated in the PSC letter (into EMS-ENI and in hard-copy version) |
| **PSC**  **Secretary** | * Provides helpdesk to applicants and partners (questions may be received from the applicants/partners with 21 calendar days before the deadline; answers may be given by PSC with 11 calendar days before the deadline) * Issues acknowledgements of receipt for hand-delivered proposals * Registers the sealed envelopes containing hard-copies of the additional documents in the Register, irrespective they were received via courier, postal services, hand-delivered, * Archives the envelopes in safe location, unopened * Distributes projects to assessors (same 2 external assessors who performed evaluation in step 2) * Prepares and sends clarification letters to the applicants. * Supports PSC in preparing the Evaluation Report and any revision of it, submits the report to JMC for approval * Notifies the applicants on the outcomes of evaluation (step 3), keeps evidence of such communications (fax, e-mail) |
| **PSC Coordinator** | * Ensures the overall management of PSC proceedings * Coordinates the activity of external assessors * Informs the Programme bodies (MA/JMC) in case PSC consensus is not achieved, or the working principles are broken, including confidentiality and secrecy, or avoidance of any conflict of interest * Endorses letters of clarification and notifications to the applicants, on behalf of PSC |
| **External Assessors** | * Perform evaluation of additional documents of the projects attributed, each assessor fills in one evaluation grid per project and uploads it into EMS-ENI system * Revise, as required, the evaluation grids and, if the case, propose PSC to request clarifications from the applicants * Analyse clarifications received and finalize the evaluation grids * Participate to PSC/JMC meetings, as required |
| **Project Selection Committee** | * Decides if requests of clarification are appropriate * Analyses the evaluation grids for each project and calls for a 3rd assessor to re-perform evaluation in various cases * May ask for revision of the individual evaluation grids in case inconsistencies between the scores awarded and the comments accompanying the respective scores are identified * Approves the evaluation grids per project, decides on the projects to be selected, put on the reserve list or rejected * Prepares the Evaluation Report (step 3) |
| **Joint Monitoring Committee** | * Analyses the Evaluation Report (step 3), issues decision of approving the report and the lists of selected projects, rejected projects and projects put on the reserve list * The access for JMC members will be granted for one week, at the end of Step 3, after the elaboration of the Evaluation Report for Step 3 and after the Evaluation Reports for Step 3 was uploaded in EMS-ENI. During this period the JMC members are only allowed to download the Evaluation Reports and the project proposals for reading purpose. |
| **Managing Authority** | * Opens and closes the EMS-ENI system * Provides procedural support. |
| **Observers** | * Participate to PSC/JMC meetings |

**Timing / Deadline**: Notifications are sent to the Applicants within maximum 10 working days since receiving the JMC’s approval on the Step 2 Evaluation Report. Hard Projects - the submission of the technical documents should be done in maximum 6 months from the date of notification.

**Methodology:**

At end of Step 2, after the main list and reserve list are approved by JMC and the beneficiaries / applicants are notified on the results, the applicants on these lists will be asked submit, in a 6 months period, the technical and economic documentation, including the Feasibility Study, EIA and building permit.

The documents will be uploaded in EMS-ENI and will be also submitted in hard copy, no later than the deadline set up in the notification letter.

The same two external assessors who performed the technical and economic evaluation will also evaluate Step 3. Each of them will evaluate at least 2 projects per week.

When clarifications are needed, the external assessors will substantiate and recommend clarifications in Annex 12.

Deadline for submitting answers to clarifications cannot exceed 10 calendar days / request. There will be maximum 2 requests for clarifications per project, but if needed PSC can approve supplementary clarifications to be addressed.  **No clarification addressing the same issue may be requested.**

**II.2 Appeal to Step 3 results**

Applicants considering that they have been harmed by an error or irregularity during the selection process may file an appeal.

An appeal is considered admissible if the applicant can substantiate that the decision of the evaluators, communicated by the Project Selection Committee, infringes the provisions of the Guidelines for grant applicants for the present Call for proposals.

Only the Applicant may submit an appeal. The appeals submitted by a partner or by any other third party - including National Authorities, Joint Monitoring Committee members etc. - will not be considered. It is the responsibility of the Applicant to collect and bring forward the complaint reasons from any project partner.

**In order to be considered, an appeal must**:

1. Be submitted in writing, by letter signed and stamped according to the relevant legal provisions in force by the legal representative of the Applicant.
2. Be written in English language.
3. Clearly describe the infringement considered as being made by the Project Selection Committee and make clear references to the corresponding provisions of the Guidelines for applicants for the present Call for proposals and to the information provided the Project Selection Committee through the notification announcing the result of the concerned evaluation step.
4. Indicate the registration number of the application which is the subject of the appeal.
5. Be dispatched by mail, courier or fax within 10 calendar days (as evidenced by the date of dispatch, the postmark or the date of the deposit slip, or a fax received confirmation / fax delivery confirmation) from the date when the written notification announcing the result of evaluation Step 2 has been sent by the Project Selection Committee, to the following address:

**Secretariatul Tehnic Comun / Joint Technical Secretariat**

Biroul Regional pentru Cooperare Transfrontalieră Iași / Regional Office for Cross Border Cooperation Iași

2A, Dimitrie Ralet Street, 700108 Iași

Iași County

**Telefon**: +40 372 444 884

**Fax**: +40 372 444 880

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Attn. of: Coordinator of the Project Selection Committee for Hard / Soft Projects

Please note that, for administrative reasons, the appeals received by the Joint Technical Secretariat after more than 20 calendar days from the date when the written notification announcing the result of an evaluation step has been sent by the Project Selection Committee may not be considered.

Appeals that do not comply with the above mentioned requirements will be rejected without further consideration.

The single source of information that may be invoked by the appeal is the notification sent by the PSC. Appeals which indicate other sources of information will not be considered.

Answer to the Applicant will be communicated in writing in maximum 60 calendar days from the receipt of the appeal. However, the final decision on the list of selected projects and of the reserve list is taken by the Joint Monitoring Committee of the Programme. Consequently, the final decision concerning the appeal may be communicated in the set deadline, subject to the availability of the Joint Monitoring Committee to meet in this period.

The decision of the Project Selection Committee on the appeals received is final, and no other supplementary complaint submitted will be considered. However, the Applicant may use a legal way to complain.

In respect of the principle of equal treatment of all the applicants, additional project information provided by means of an appeal will not be considered and cannot be a reason for increasing the score. The only legal source of information that can be invoked in any appeal is the PSC notification. Other sources of information indicated in the appeal will not be considered.

During this stage, the following shall be considered:

* Based on the provisions of the Guidelines for grant applicants, PSC decides on their admissibility of the appeals received. Appeals falling outside the formal conditions specified in the Guidelines for grant applicants shall not be considered.
* If admissible, PSC re-checks the evaluation grids for material errors and, if the case, requests assessors to review their work.
* In case the assessors maintain their opinion, 3rd assessor is called to re-perform evaluation. The revised final score per project is the average between the scores awarded by assessors having the 2 nearest overall scores.
* If the case may be, PSC proposes an addendum to the respective Evaluation Report.
* PSC decision on any appeal is final, and no other supplementary complaint shall be considered.
* When following verification of appeals, position of projects on the ranking lists is modified and their status changed e.g. from “selected” a project may become “put on the reserve list”, the applicants concerned are notified by PSC on the respective change.

1. In case of calls for HARD and SOFT projects, the eliminatory criteria are: the cross border impact, contribution to programme Results, contribution to programme (common) Output(s) and relevance of the project partnership. [↑](#footnote-ref-1)
2. In case of the 1st call for HARD projects, the minimum overall score is set at 99 points, and in case of the 2nd call for SOFT projects, the minimum overall score is set at 65 points. [↑](#footnote-ref-2)
3. Budget at headings 3 + 10. Infrastructure is less than 1 M€ [↑](#footnote-ref-3)
4. Thresholds may differ in the calls launched by the programme. [↑](#footnote-ref-4)