Programme funded by EUROPEAN UNION

Training for beneficiaries
2nd Call for proposals
(25-26 November 2020, Online)
Questions & Answers

ENI CBC Black Sea Basin Programme 2014-2020

Q&A on Project management

QUESTION	ANSWER
1. The news regarding the events organized within the projects can be published also on the programme website?	On the programme website there is a section dedicated to Projects news&events where we published the news shared by the beneficiaries: https://blacksea-cbc.net/projects-newsevents/. Further, these news are disseminated on social media. For more information and support, we are inviting you to contact the JTS communication officer, Jesica Papusa, email: jesica.papusa@bsb.adrse.ro.
2. Please share the link where we can find all the supporting documents	Section *Projects implementation* from the programme website: https://blacksea-cbc.net/projects-implementation/, contains all the relevant documents and information for project implementation.

Q&A on Narrative reporting

QUESTION	ANSWER
1. What kind of documents should be uploaded in eMS during submission Progress report?	The progress report submitted at every 4 months of implementation must be submitted only outside eMS application form. The documents that must be attached at the progress report are: an updated procurement plan; promotional materials; photos of equipment/supplies.
2. The progress report has to be signed by legal representative or by project manager?	The progress report must be signed by the legal representative. The project manager can sign the report only if she/he has been empowered by the legal representative and in this case, the empowerment decision must be attached to the progress report.
3. Why the submission of progress reports applicable for the 2nd call beneficiaries is different to the one applicable to beneficiaries of the 1st call? For example, beneficiaries of the 2nd call have to fill in a word report for progress instead of using eMS as in the case of the first call.	With this modification, the management structures intended to simplify the process and to avoid the delays in reporting (reverting due to repeating mistakes done in reports, as it happened with reports submitted by projects contracted under the 1st call for proposals). This approach, decided for the 2nd call beneficiaries, comes following the feedback received from beneficiaries in regard to reporting.

QUESTION	ANSWER
4. Do the project partners (PPs) need to print and sign the progress report and then scan it and send to the LP or it is not needed for the progress report and PPs only need to submit the progress report as doc file?	There is no specific obligation regarding the approach used for collecting the contribution to project reports by the Lead Beneficiary from the partners. It is up to the partners to decide on the appropriate mechanism.
5. Are the projects from the Second Call expected to submit the Progress Reports through the eMS or only via e-mails in the eMS?	The beneficiaries of the second call will not submit the progress report through eMS. They will only send the already elaborated reports to the Lead Beneficiary/JTS via eMS Mailbox.
6. How do we need to treat the delays of in-person events and meetings due to COVID19 pandemic? It is not possible to make prognoses now on the how many months to include in extension requests. Is there a general rule/requirement for all projects in this regard?	There is no general approach on how the projects to respond to the COVID 19 challenges. The cases will be analysed one by one and the solutions will have the purpose of decreasing as much as possible the delays or other negative effects on the project results. However, please consider the ***Information for Beneficiaries of the ENI CBC Black Sea Basin Programme regarding project implementation in the context of coronavirus disease COVID-19*** issued by the Managing Authority and published on the programme website in March 2020.
7. Regarding the number of stakeholders, if we have contacted different participants from the same organisations that had been attended in project events in the previous reporting period (e.g. period 1), how shall we calculate the number of stakeholders for the 2nd period? Shall we write zero (as no organisation is added)? Shall we add the number of participants though they are coming from the same organisations which participated in the 1st period?	Please remember that the progress described in each 4 months progress reports is related strictly to the reporting period. Therefore, you will report the same organisations that have been involved in the previous periods, but, when you will prepare the interim report (where you have the obligation to report the progress from the beginning of the project) you will count the organisations only once.
8. How do we proceed with the project open conferences? It is sufficient to make a press release and consider it project opening conference from a project partner - not lead partner?	When deciding to reorganise an activity, please make sure you will achieve the same expected results as in the original version of the application.
9. Is there a Programme email where any beneficiary could address questions during implementation period?	A JTS officer is assigned for each project. All beneficiaries can contact the JTS project officer any time by using their email address or telephone, as communicated by JTS or according to the information published on the programme website.

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Q&A on Financial reporting

QUESTION	ANSWER
1. Please clarify whether the original financial documents need to be translated in English?	The original financial documents do not need to be translated in English. They have to be uploaded in eMS in scan version of the original documents and named in English. In case during the verification process of the interim/final report the Managing Authority, will need clarification regarding certain documents, it may ask for a translation in English of the respective documents or parts of them.
2. Do we need to translate appointment decisions for staff (project management team) into English?	The appointment decisions for staff (project management team) does not have to be translated into English, considering the fact that is going to be verified by the controllers of each partner. Information related to the Project Management team are going to be introduced in the Supplementary Information section.
3. Regarding translation of all documents into English: what translation is required for all documents - explanations in English, or an official translation of the document. For example, should the invoice for the equipment be provided in English?	The documents do not have to be translated in English. They have to be uploaded in eMS in scan version and named in English. If, during reporting or verification of reports translation into English of a document is required, the beneficiary shall submit an unofficial translation in English signed by the legal representative of the respective partner. Also, for projects with an investment component that have the obligation to submit technical documentation connected with the investment, they will send the documents in national language, accompanied by an English short description of their content.
4. Is it possible to get the projects final budgets in excel format? We have them in PDF format and it would be very kind of you if you could share with us the excel files.	In eMS, in the section “Project Budget Overview” you can find different formats/tables of the project budget. Under each format/table you have the option “Export”. This will allow you exporting the table in Excel format.
5. With Reference to cases where expenditure has to be linked to work provided and can't be registered under the	In principle, all **staff costs**, irrespective of the project activity they are linked to (management or implementation), shall be

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Black Sea CROSS BORDER COOPERATION

QUESTION	ANSWER
"Management" WP. So, staff is involved in multiple Work Packages. It looks that expenditure Reporting is based on the WORKPACKAGE and NOT on the person/Staff. So, for ONE staff member who is involved and paid from many Work Packages, there have to be multiple Expenditure Reporting lines as per Work Package. Is this correct or is there another way to Report in such a case?	reported under the Group of Activities management (Work package Management in eMS) if not in contradiction with the provisions of the national legislation or internal requirements of the organization. If budgeted under other Group of Activities (not Management), as to comply with the provisions of the national legislation or with the organisation' internal rules, they shall be reported under the respective Group of Activities.
6. Would you object paying staff cost (manager and researchers) in one instalment for few months but not in monthly instalments?	The method of payment of staff costs must be fully in compliance with the applicable national legislation and with the provisions of the employment contract. The supporting documents for the payments made must reflect the above mentioned approach.
7. If the procurement plan had to be changed, how long we have to wait until we start the procurement according to the new plan?	If the procurement plan was revised due to the modification of the budget there are two situations: - a modification of the budget through a notification. The notification should be submitted with at least 10 days before the date on which the changes should be implemented. The procurement should start after the notification is accepted. - a modification of the budget through an addendum. The addendum should be submitted 45 days before the date on which the amendment should enter into force. So, the modification requested through the addendum will enter into force after the signature of the both parties (MA and LB) and the procurement should start after the addendum has entered into force. If the modification to the procurement plan is not related to the budget values, you can submit an updated procurement plan with every progress report. The procurement could start according to the needs and the schedule.
8. If I am in charge of financial management of the project, who gives me access to the eMS and how will I be notified?	In order to be assigned as a "User" in eMS you have to be registered in the eMS. The assignment of the users is done by the Lead Partner. Please check section "2.4 User Assignment" from Annex 5 – Guide on

QUESTION	ANSWER
	reporting in the eMS.
9. In progress report there is section to provide Cumulated costs from start of implementation to present report, if we can correctly provide the funds used in actual euro figure, should we although show the amounts in the original currency and then convert in euro in accordance with the mentioned link?	In order to calculate the spent amount in euro you will have to have a situation of the expenditure paid in the reporting period, in original currency, then you will convert this amount using the monthly euro exchange rate of the European Commission, from the month when the progress report is submitted to JTS. There is no need to insert the amounts in national currency in the progress report.
10. During reporting of salary costs related to own staff, costs which should be considered as co-financing, how do we indicate them as “co-finance” in ems?	You have to report the staff costs in the same manner as the other costs. The co-financing will be established by the MA when authorizing the report.
11. Regarding 'national contribution', Is it eligible to allocate a part of the main salary (specific paid hours or let say 10%) of the staff (budgeted from University/ ministry) to cover the National contribution? If so, what kind of documents should be produced and submitted from the University?	Yes, you can consider financing a part of the staff’s salary with your own contribution/ national contribution, within the limits of the total amount of national contribution. If the eligible costs of the project at the end of the project are less than the estimated eligible costs, the grant co-financing shall be limited to the amount obtained by applying the percentage of 8% to the eligible costs of the project approved by the MA, at the final financial report. The supporting documents you need to submit for verification are the same as for all declared expenditures. An indicative list is available in the Project Implementation Manual, section 6.5.3 “Supporting documents required for expenditure verification”.
12. As regards reporting of staff costs, please clarify if we should fill in information and upload documents for every person/month or can we upload a file with information concerning all of the staff/month?	According to the provisions of Annex 5 – Guide on reporting in the eMS – for “Staff costs” each item in the List of Expenditure needs to be separated per person per month (as staff employed are paid on a monthly basis – full or part time).
13. In Greece we can hire personnel with a works contract, paid by issuing monthly invoices, according to the national legislation. Is there a problem with this?	In accordance with the Joint Ministerial Decision of the MCS of ETC Programmes no. 300488/ΥΔ1244/06.04.2016: The staff cost of the Greek beneficiaries of the Joint Operational Programme Black Sea Basin 2014-2020 (BSB) corresponds to the gross cost of the persons employed by the beneficiary in any of the following ways:

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QUESTION	ANSWER
	a) Full time employment b) Reduced time employment under a fixed monthly rate (percentage of time)[1] c) Reduced time employment with flexible number of hours per month d) On an hourly basis The gross staff cost includes the salary or fee paid to the staff and all the related payments, i.e. taxes and social security contribution. In accordance with the Law of State Accounting no. 4270 of 2014, the documents supporting the staff cost expenditure may have any of the following 4 forms: 1. Payroll *(In Greek: “μισθοδοτική κατάσταση”)* 2. Service Invoice – including the Social Contribution - issued to 1 or 2 employers *(In Greek: “Τιμολόγιο Παροχής Υπηρεσιών”)* 3. Service Invoice – not including the Social Contribution - issued to more than 2 employers *(In Greek: “Τιμολόγιο Παροχής Υπηρεσιών”)* 4. Receipt of Professional Expenses *(In Greek: “Τίτλος Κτήσης”. Previously known as “Απόδειξη Επαγγελματικής Δαπάνης”)*

Q&A on Financial management

QUESTION	ANSWER
1. There is currency fluctuation in Turkish Lira against Euro. How we will adjust this during the auditing?	According to article 8.5 of the grant contract, exchange rate losses are *Non-eligible costs*, so you cannot adjust them. However, considering that the Beneficiaries have to upload the expenditure in the original currency and the conversion into euro is made automatically by the eMS using

[1]According to ENI CBC Black Sea Basin, this option is not applicable for projects funded under the BSB Programme

QUESTION	ANSWER
	the monthly accounting exchange rate of the European Commission of the month during which the expenditures was submitted for verification, the management structures introduced the option for those beneficiaries who anticipate big losses because of the exchange rate to submit several financial reports to the controllers. Instructions on how to use this option is included in the revised version of the Project Implementation Manual – see Annex 5 – Guide on reporting in eMS, section 4.3.2. 'List of Expenditures (LoE) – Currencies other than euro.
2. When we introduce the information on each procurement in the eMS, which exchange rate should we refer to (month of payment/ submission into the system)? This might be different from the exchange rate in the interim report. How to deal with that?	In the Project Implementation Manual, Annex 5 Guide on reporting in the eMS, section 2.7 Procurements it is mentioned that the Contract Amount (in Euro) – "is only indicative and the exchange rate will be the exchange rate of the European Commission, from the month in which the contract is signed".
3. If I understand clear - we can submit financial report together with the 4 month (quarterly) report. Is this option already available or we need to wait for the adoption of revision of Annex 5 first?	Please see instructions provided in the Project Implementation Manual and in Annex 5 – Guide on reporting in eMS.
4. As TESAU is a state university, according to the national regulations, we are not allowed to keep funds in EUR. As soon as we receive funds from donors, these funds are converted immediately in GEL. What can we do to reduce the exchange rate losses?	If you are not allowed to keep in EURO the ENI funds received, you have the option to elaborate more reports before interim/final report as described in the revised Annex 5- Guide on reporting in eMS. This approach will allow the system to use for each report that is submitted, the exchange rate of the month during which the expenditures was submitted for verification.
5. What losses (in thousands of Euro) in respect to exchange rate issues can be referred to 'Significant losses' by JTS/MA to request for the procedure of solving this?	There is no such reference amount. It is up the beneficiary to decide whether they want to consider the option of submitting several financial reports. (see reply to question 1)
6. Do external experts need to complete timesheets?	The external experts do not have to complete timesheets. The supporting documents for the services contracts are: documents concerning procurement, contract, invoice, acceptance of the provided services, payment document. Only staff members, which are working part-

QUESTION	ANSWER
	time, have to complete timesheets.
7. In which budget line can be included the cost of the bank fees for account maintenance?	Under "Office and administration" budget line.
8. Does travel cost of the staff have to be included in the employment contract?	Travel and accommodation costs of the employed staff are not included in the employment/work contract. Travel and subsistence costs of experts shall be included in the service contracts for these experts and budgeted under the External expertise and services budget line.
9. Since international travel is limited at the moment, how can the amount budgeted for the travel be re-allocated?	You must follow the regular procedures of project's modification (Addendum or Notification, as applicable) which are described in Project Implementation Manual (see section 8 - Modifying Grant contract).
10. Can a purchased item within the frames of another project, but relevant also for the current project be considered as a contribution of the organization (8%)?	Contribution in kind as defined in Article 14(1) of the Regulation no. 897/2014 are not eligible costs and may not be considered part of the minimum 8% co-financing by the Lead Beneficiary or the beneficiaries. Please be aware that the exact contribution and ENI funds are established at the final authorizing process and not by the beneficiaries.
11. In case of hiring external educators for the trainings, is it possible university lecturers to be hired to perform this activity through a part-time employment contract (only for a certain activity)? These lecturers are not members of the project implementation team. Conducting such trainings is not an element of their job description.	If external educators for training are mentioned (foreseen) in the external expertise budget line, you must conclude service contracts with them following carrying out a public procurement procedure. Otherwise, if they are mentioned on the staff line, you can hire university lecturers to perform this activity through a part-time employment contract. Please pay attention to the correct framing of the related costs in the project budget (either budget line 1 – Staff costs, or budget line 4 – External expertise and services) and also to the programme rules in terms of notifications and addenda to the grant contract, if the case. However, please be aware that the Beneficiary is not allowed to conclude a

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QUESTION	ANSWER
	service contract with any of its employee irrespective of the purpose. Contracting services with Beneficiaries' own staff is considered conflict of interests.
12. Is it necessary to attach copies of invoices for indirect costs when there is no money planned for infrastructure?	The partners will not attach/upload invoices or any other supporting documents related to indirect costs, in any case (project with or without infrastructure). Supporting documents for indirect costs will be kept by the partners, in their own accounting system and archives.
13. What is the approach in case of a contradiction or conflict between the findings/conclusion of the controller and those of the Managing Authority?	According to Annex 2 of the *Instruction 15 laying down specific provisions for the expenditure and revenue verification of a grant contract funded under the ENI CBC Black Sea Basin Joint Operational Programme 2014-2020, a* contradictory procedure should be possible, if the Beneficiary does not agree with the findings of the controller. In this case, the Controller should designate a different member of its staff, having similar competences, for re-performing the verifications for the expenditure in question and replying to the Beneficiary. If no agreement is reached, art. 13 of the same Annex is applicable.
14. Can we use as savings amounts from contracts that were signed with lower amounts due to procurement procedures? *Similar question:* *If the budget for an acquisition is estimated at 5000 euro, but based on the tender procedure the lowest price is 4000 euro, are we allowed to make addendum to the contract in order to contract more services or supplies, in order to spend the entire amount of 5000 euro or we must return the amount of 1000 euro or redirect it to other budget lines?*	Yes, these amounts can be reallocated to other budget lines, through notification or addenda, as applicable. If you intend to use these savings for activities that were not initially foreseen in the project budget, their necessity and contribution to project objectives has to be duly justified and approved by the MA. You should follow the regular procedures of project's modification (Addendum or Notification, as applicable) which are described in Project Implementation Manual (see section 8 - Modifying Grant contract).

Q&A on Expenditure verification

QUESTION	ANSWER
1. Is national controller considered audit company? Please, specify the distinction between auditor and controller.	Controllers are independent auditors, or public officers, contracted or appointed, as the case, to examine the costs and revenues declared by the beneficiary. The controller is the generic term used within the JOP BSB 2014-2020 and may be either an auditor, or a competent public officer, according to the systems used in each participating country.
2. The verification of expenditures is done by the independent party listed as you said for Georgia, Armenia and Moldova. Once contracting them, can we contact the controller and consult her/him prior to making changes to the budget? Or we first get consultation from JTS?	The controllers are independent and should not give an ex-ante opinion on the eligibility of costs. As regards changes to the grant contract, if you need clarifications, please consult JTS.
4. We still are unclear about how do we get a controller for our project.	For more details regarding the system in your country, please consult the content of MA Instruction 15/2018, or get in contact with the nominated Control Contact Point. The contact details are available on the programme website - https://blacksea-cbc.net
5. Will the partners also contact controllers in their own countries or just the lead partner will contact the controller?	Each partner will select/ get appointed a controller in its own country. Each partner need to have the expenditure verified by its own Controller.
6. There is challenge with price of service, short listed audit companies from Georgia offer much higher prices than budgeted of project beneficiaries.	In case you need to make revisions to the project budget, please follow the regular procedures of project's modification (Addendum or Notification, as applicable) which are described in Project Implementation Manual (see section 8 - Modifying Grant contract).
7. Please clarify the control system from the Republic of Moldova.	The Republic of Moldova applies a de-centralized system, according to which the controllers are selected by the beneficiaries from a list established at national level by the Control Contact Point (Ministry of Finance). Contact details are available on the programme website - https://blacksea-cbc.net/black-sea-basin-2014-2020/management-structures/control-

QUESTION	ANSWER
	contact-points/.
8. Question from Georgia: When we contract private auditors from long lists, should we use general procurement rules proposed in the framework of the project? Please suggest us how to proceed.	Contracting of controllers must comply with Programme's procurement rules as described by Regulation 897/2014 and Grant Contract. Depending on the estimated budget of the service, the applicable procedure should be carried out. For limited values of up to 2500 Euro, only invoice or contract is required.

Q&A on Public procurement

QUESTION	ANSWER
1. We are preparing a procurement procedure for services (events organisations) for all the events to be held during implementation period. However, due to pandemics, the number of organisations to be held will possibly change and maybe most of them will be online. My question is how should we adapt our procurement and payments regarding those changes? Should we still submit the procurement or still wait?	In cases where flexibility is needed and organising one single procurement procedure for all similar services / supplies / works needed over a long period of time would be difficult in a changing context, please consider that the respective services / supplies / works may be purchased following several procurement procedures. However, please pay due attention to avoiding the artificial split of the estimated value of the contract. For example, in case it is decided to organise a procurement procedure for services for an online event of 1.000 euro and then 2 procurement procedures for physical events, each of 10.000 euro, then the total estimated value of 21.000 euro must be taken into account when checking the thresholds for the procurement procedures stipulated in the applicable law. For example, in case of PRAG 2020, the above situation would imply the use of simplified procedure (formerly known as competitive negotiated procedure) for **each** of the three procurement procedures, and not the use of single tender procedure and neither the use of payment by invoice, for neither of them. Also, you should take into account whether there is a need for a modification of the Contract through an addendum or notification.
2. We represent a beneficiary from Georgia. We applied the following procedure: we published an announcement, we collected three prices from different vendors and we identified the winner based on the best price and quality provided. Is it acceptable if we have only one offer received in the given time?	The procurement rules you have to apply should comply with the provisions described by Regulation 897/2014 and Grant Contract and more information you can find in the Projects Implementation Manual – Chapter 4 – Procuring services, supplies and works. Please pay attention that the procedure to be applied depends on the estimated contract value.

QUESTION	ANSWER
3. Is the procurement process different in the case of NGOs?	This depends on the country of the beneficiary. The procurement rules you have to apply should comply with the provisions described by Regulation 897/2014 and Grant Contract and more information you can find in the Projects Implementation Manual – Chapter 4 – Procuring services, supplies and works. For guidance, you can also check the summary available on the programme website: https://blacksea-cbc.net/news/archive-news/procurement-rules-national-legislation-or-prag/. In any case, please consider all the legal provisions mentioned above.
4. We have two different studies in the budget, each with the amount of 12000 Euro. One was planned to be acquired in January, another one in June. We followed the single tender procedure for the first study in January, we had two offers and we chose one of the tenderers. If the same tenderer participates in the tender procedure in June and wins the tender, is there a violation of any procurement rules in this case?	In relation to the value of the contracts, please make sure to avoid the artificial split of the estimated value of the contract. For example, two studies of similar nature, each estimated at 12000 euro, amount to a total estimated value of 24000 euro, which, in case of PRAG 2020, for instance, implies the use of simplified procedure (formerly known as competitive negotiated procedure), and not of single tender procedure. In relation to the situation where the same tenderer is successful in more than one procurement procedure, please check the specific procurement provisions applicable in your case (national law / PRAG in force at the moment of the launch of the procurement procedure).
5. Could you please inform beneficiaries about publication requirements for tenders (Official Journal of the European Union, F&T portal and in the partner country or any equivalent media)?	In case a procurement notice has to be published (depending on the applicable procurement rules), the appropriate media is as follows: - In case of beneficiaries mentioned in art. 9.2 of the grant contract (contracting authorities/entities in Member States), the publication requirements are those stipulated in the national procurement law. - In case of other beneficiaries than the ones above, the following rules apply: - the rules stipulated in art. 53-55 of Regulation (EU) 897/2014, supplemented by: - the provisions of PRAG in force at the moment of the launch of the procurement procedure or, in case of Ukrainian public beneficiaries, the provisions of national law, and - the rules stipulated in the last paragraph of art. 9.3 of the grant contract (submission of procurement notice to the

QUESTION	ANSWER
	Joint Technical Secretariat and any other appropriate media).
6. It was estimated to have one procurement procedure for all events (e.g. 4 events). Can we divide the procedure and have a procedure for each event and pay by invoice?	Please see the answers to questions 1 and 4 above. In case of PRAG 2020, for instance, it would be acceptable to make payment against invoice without prior acceptance of a tender if the total estimated amount for all the four events would be up to 2500 euro.
7. We represent a beneficiary from Georgia. Usually, we announce public tenders on the top rated pages. Is it acceptable or do we have to announce the public tenders on a specific web page?	Please see the answer to question 5 above.
8. If we have to procure 2 laptops in the project for 2000 euros, can we have just 1 offer?	In case of PRAG 2020, if the value of the 2 laptops is 2000 euro in total, you can purchase them directly by invoice without prior acceptance of a tender. In case of beneficiaries applying the national procurement law according with the grant contract, please check the respective national provisions.
9. Is the National Authority in each country supposed to advice for the necessary procedures?	As regards national legislation, beneficiaries may ask the National Authority for guidance.
10. Please provide specific examples and concrete definition of artificial split, so that it will not be interpreted differently by the controllers.	Example of artificial split: two similar renovation works estimated at 15.000 euro each are contracted on the basis of single tender procedures, while simplified procedure should have been carried out, as their cumulative estimated value is of 30.000 euro (in case of PRAG 2020). For other examples, please see the questions and answers no. 1 and 4 above. For provisions related to avoiding artificial split / slicing of contracts, please check the specific procurement provisions applicable in your case (national law / PRAG in force at the moment of the launch of the relevant procurement procedure).
11. We represent a beneficiary from Georgia. Can you please tell us what is the difference between Electronic Tender (67.000 EUR or above) and Simplified electronic tender (Up to 67.000 EUR)?	The procurement rules you have to apply should comply with the provisions of described by Regulation 897/2014 and Grant Contract and more information you can find in the Projects Implementation Manual – Chapter 4 – Procuring services, supplies and works. The details from the question (electronic tender, simplified electronic tender, 67000 euro) are not mentioned as such in the Regulation (EU) 897/2014 or in PRAG.

QUESTION	ANSWER
12. Should we announce tender procedure to recruit all the staff we require for the project? Cannot we use direct assignment?	For hiring the staff, you do not have to follow procurement procedures. In case you need to acquire services (e.g. expert consultancy), than you have to follow the procurement rules. Please see also the answer to question 11 in the section above *Q&A on Financial management* of this document.
13. When reading the following text, does it mean that appeal should be submitted to the Romanian court?: "An appeal can be submitted by you in 30 days from the receipt of this Notification, as per the provisions of Law 554/2004 of Administrative contentious with its subsequent modifications and completions."	This phrase is part of the information concerning payment sent by the Projects Authorizing Unit (MA). This means that according to Romanian legislation, you have 30 days from the receipt of the information to submit an appeal to the Managing Authority.
14. Which are the origin rules for equipment?	By the corroboration of the legal provisions applicable in the case of this programme, it results that there is no restriction on the origin of supplies or nationality of tenderers.

Q&A on Contract modification

QUESTION	ANSWER
1. Shall we require an addendum/notification if we change meetings from live to virtual?	In case you decide to change a meeting from live to virtual you have to provide explanations of this change in the progress report. Addendum or notification is required only in case any of the modifications are of the type for which an Addendum or Notification is required, according to MA Instruction to Beneficiaries no.16.
2. Can we shift meetings of trainings for online if the COVID situation still persist? Our project has planned for next January. Could this can be delayed or shift for online.	First you have to analyse what is the best option for your project: to postpone the trainings or to change into online version. Both options are acceptable. Please see also answer to question 1.
3. We had already organized a Kick-off Meeting with money provided for organizing the event. The meeting took place online. What happens to the amounts provided and not spent for an already past goal?	The amounts that were not spent can be used in order to increase other budget categories if this can bring an added value to the project. The transfer of amounts within the same budget heading can be done through a Notification. If you want to transfer amounts between 2 different budget headings, you

QUESTION	ANSWER
	have to submit a request for Addendum.
4. Please define what means 'minor transfers'?	Minor transfers are referring to amounts transferred between categories under the same budget heading and do not have major impacts on the project results. Please read carefully the provisions of the Instruction no. 16 on Notifications and Addenda.
5. Is there a limit to the number of Notifications or Addendums we can request?	No limit is established at Programme level for the number of Notifications or Addenda that might be submitted. We still recommend that the necessity of changing the project must be the result of an analysis and consultations between all partners. Make sure you do not operate any change prior to obtaining the approval of JTS or MA on the Notification or Addendum, as applicable.
6. I have sent a request for budget modification to the LP on September 2020. Two days ago, we've been informed that the LP is STILL waiting some clarifications from two other partners in order to submit a consolidated Request on the behalf of the consortium. Two months left and we wasted this time with no possibility to concentrate on the real work implementation. Is there a regulation of a limited time and deadline which the LP should respect and submit the request of the partner to the JTS without waiting some other partners to add their cases too?	The LP should analyse and prioritise the necessities at project level and should take into account the needs of each partner. As we didn't establish a limit number of notifications throughout the total duration of the project, or during one month, more notifications can be submitted depending on the emergency of implementing the necessary changes.
7. Could PPs implement modifications requiring addendum prior of the approval of the JTS, undertaking the risk of not approval?	The PPs can implement modifications prior to the approval of the MA of the addendum on its own risk. All partners must be aware that implementing changes that might not been accepted by the MA can lead to the ineligibility of costs.
8. If we want to change the rate per hour for one staff position: specifically decrease hourly rate but increase number of hours in such a way that the total budget will remain the same. Do we need to submit notification or addendum?	For changing the hourly rate and number of hours, a Notification must be sent to the JTS. Please note, that the acceptance of such a proposal is conditioned by respecting the rules of eligibility for staff costs, among which, the new proposed hourly rate must correspond to those normally borne at institution level for similar positions. Also, please analyse if by changing the number of

QUESTION	ANSWER
	allocated number of hours, this will not affect the quality of the project result.
9. During pandemic we move from in-person to online event. But this refers to modifications in the eMS and also tendered contracts (especially if allocated via open tenders). How many notifications we can submit in this regard in order not to overburden the JTS? How much can we postpone an event during lockdowns without modifying the Application form in the eMS?	In this case, reorganising of one project activity has leaded to the necessity of changing the procurement plan. You have to submit a Notification that encloses all changes that are interconnected. The decision of notifying a delay or just to justify it at progress report must be taken by analysing the consequences of a delay. If a delay in achieving one project deliverable is not leading to delays in achieving other deliverables or is not affecting a phase in the project implementation, then you can choose to just report as delayed and to provide justifications in the progress report.
10. Can we change the name of the Communication manager in the eMS without notification/addendum? It's just a reallocation of role in the same project team.	Changing of the name of one staff member can be done without notification/addendum. However, be aware that according to Instruction no.16, modification of the Human resources heading positions in the way of deleting or adding new positions in the project team can be done only through an addendum.
11. Regarding the guidelines on indicative measures possibly to be taken during project implementation in order to deal with health-related risks caused by Covid-19 - the challenges that were at the level of state regulations at the times of Covid -19, which remain for now, it is still impossible to predict the changes which might be taken. Current circumstances allow the implementation of a number of conditions imposed by the project, however, some of the processes are delayed. I would like to know, if you have planned any individual consultations, as the regulations differ in each country. This question raises and relates to a number of issues, and most important for now is deadlines set in the Work plan. What can be done regarding it from your side?	The programme structures are permanently analysing the impact of the COVID-19 pandemic on the projects. Consultations with the NAs and European Commission are taken place as often as required. The MA has already taken measures in supporting the beneficiaries to overcome the COVID 19 challenges (**Note** – Information for beneficiaries regarding project implementation in the context of coronavirus disease COVID-19 (March 2020); **Note** for Beneficiaries regarding indicative measures possibly to be taken in order to deal with health-related risks caused by COVID-19 (June 2020). The decisions at each project level must be taken after consultations between all partners, case by case, and communication with the JTS project officer must be intensified in order to provide the best solution suited for the reality of each project.
12. How should the Beneficiaries manage the	The savings can be used only if they will bring

QUESTION	ANSWER
savings? The addition of new activities is an option as long as they contribute to the objectives and indicators of a project?	an added value to the project and only after approval of the JTS/MA. Please be aware that the already declared ineligible costs cannot be considered savings.
13. Regarding the reallocation of budget amounts between Sub-budget lines (e.g. Organization of TTMs to Printing Materials) within the same Budget line (e.g. External expertise and services) do we need a Notification within a 4 month report or an Addendum within the Interim Report? Moreover, is it possible to ADD new Sub-budget lines (e.g. ICT solutions) to fulfil needs of organization/communication etc. from sub-budget lines discarded due to COVID19? Adding new Sub-budget lines is a process allowed only via the Addendum of the Application Form document during the Interim Report? Or could it be done earlier in the Project implementation during 4 month reports with Notifications? Local legislation allows financial and temporal/deadline changes within a 25% margin of the total amount or timespan for Activity conclusion.	Do not correlate the timing of submitting a Notification or an Addendum with the submission of the progress reports or interim reports. To decide when is the optimal moment in order to submit a Notification or Addendum, you must calculate when the changes must be implemented. Also, even if a modification request can be submitted after submission of the interim report, the system will link the report to the version of the application form approved in the day of the submission of the report. The eligibility of costs enclosed in the interim report will be analysed in relation to the budget of the version valid at the moment of the submission of the report. All modifications requests submitted during analyses of a report (progress or interim) will not be taken into consideration as references for the report.
14. Theoretically, will be possible to extend project due to COVID 19 situation? I mean extension without budget expansion/changes?	Extension of the project duration due to COVID 19 will be closely analysed by the MA, on case by case. The beneficiaries have to duly justify and to provide clear information with the reasons for delays and the reasons which impeded the timely rescheduling of activities.