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| **1. What is the maximum size of documents to be uploaded to the online generator per project?** |
| The maximum size is 100 MB. |
| **2. Is it necessary to translate the annexes to the AF which were originally produced in national languages into English?** |
| No, it is not necessary to translate the annexes which were originally produced in Polish or Russian and do not require applying of the Programme templates (e.g. statutes, balance sheets or other fiscal documents, registration documents, full feasibility studies (apart from a summary in English), building permissions, environmental impact assessments, chapters of technical documentation, etc). These documents can be submitted in national languages. However, if the lead beneficiary produces a letter addressed to the JTS (e.g. with an explanation of a certain issue), it should be composed in English being an official language of communication in the Programme.  Other annexes which templates are available in the online generator (e.g. various declarations, partnership statements, etc) must be filled in by the project beneficiaries in English. |
| **3. Shall copies of annexes be certified as true to original when they are submitted in the online generator?** |
| If you possess original documents (e.g. statutes, balance sheets, etc), you shall scan them and upload to the online generator.  If you have only copies of the documents, first you need to make sure that these copies are certified as true to original and only after that you can start scanning and uploading them to the online generator. In case a document contains several pages, you should either certify each page separately or certify the first page indicating a total number of pages and then number each page manually. |
| **4. What kind of audit costs have to be planned in a project budget?** |
| In case the payment option 1 (35% + 50% + 15%) has been chosen, each beneficiary should plan that an audit of individual interim report and an audit of individual final report will have to be carried out. In case the payment option 2 (100%) has been chosen, each beneficiary should plan to conduct an audit of individual final report. Since individual reports must undergo expenditure verification by independent auditors; the costs of the audits need to be planned in a project budget. |
| **5. Can a project cover costs of inviting an expert from outside the Programme area?** |
| A project can invite an expert (e.g. to deliver a presentation at a conference or conduct a masterclass) whose seat is located outside the Programme area. Related costs (travel, accommodation, fees, etc) shall not be included in budget heading 2 but within a service contract concluded with an expert or within the cost of a conference/training and indicated under Budget heading 4. Services. Respective procurement rules must be fulfilled, if applicable. |
| **6. Can an organisation established outside the Programme area participate in a project as a beneficiary?** |
| Organisations established outside the Programme area can participate only in particularly justified cases. As indicated in the Programme Manual Part I – Applicant (p. 2.2 Eligibility of lead beneficiaries and beneficiaries), the beneficiaries that do not meet the establishment requirements, have to jointly fulfil the following conditions:   * they are establish in Poland or Russia, * their participation is necessary for the effective project implementation (i.e. it is required by the nature and by the objectives of the project), * the allocation of funds in the project for such beneficiaries is up to 20 % of the total eligible costs of the project.   Therefore, the assumptions of the Programme significantly limit the possibility of participation of organisations established outside the Programme area, and their participation is subject to restrictive conditions. |
| **7. In the case of Russian partners, one municipality acts as a beneficiary in the project with infrastructural component and it will engage other organizations (authorised municipal institutions and enterprises, sometimes their other departments with a status of a legal person) for the realization of the project because this municipality itself cannot be a direct contracting authority. Should they include such organizations as a beneficiary of the project?** |
| Such organizations could be defined as municipal institutions supervised or subordinated to a municipality that will be responsible for the practical realization of the project. If the institution in question fulfills the requirements described in point 2.2. of the Manual Part I and it is justified by the conditions of the project implementation (for example the possibility of being a contracting authority), it can be included to the partnership as a beneficiary of the project. Hovever, the decision on the composition of the proposed partnership is on the side of the potential beneficiaries. |
| **8. Partners from Poland and Russia are preparing two projects in thematic objective ACCESSIBILITY. Within the first project they are going to modernize 2 kilometres of road on Polish side and 2 kilometres of road on Russian side. Within the second project they are going to modernize additional 3 kilometres of road on Polish side and 3 kilometres of road on Russian side. For both projects there will be the same technical documentation with separated appropriate part of roads. Is it appropriate to apply for two projects which are two parts of one project estimate?** |
| It is important to take into account that the planned action should be considered in the context of effective definition of a project which is described in the Programme Manual Part I, point 2.3.1. It says that PROJECT is a series of activities defined and managed in relation to the objectives, outputs, results and impacts which it aims at achieving within a defined time-period and budget. These objectives, outputs, results and impacts shall contribute to the Priorities identified in the Programme (point 1.3. of the Manual).  In relation to the presented situation two aspects of the mentioned definition seem particularly important:  • linkage of activities within the project;  • and their reference to the assumed objectives and priorities of the Programme.  The applicant should duly justify and show that these are two separat projects (substantively, organizationally, functionally separated and independent of each other) and not two parts of one big project submitted by one institution, which was artificially divided into two projects.  The logic of each project have to be retained and there cannot be any doubts about the possibility of achieving the assumed objectives and priorities of the Programme especially in case the grant would be awarded for only one project out of two. |
| **9. What exchange rate shall be applied in calculating the beneficiary’s turnover in euro (p. 9.3/10.3 Financial capacities in the AF)?** |
| It is recommended to use corresponding average annual exchange rates published at <http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/index_en.cfm>.  For the interim/final reports as indicated in the Programme Manual Part II , point 5.1.2, any conversion in interim/final reports into euro of the real costs borne in other currencies shall be done at the rate published on the Info Euro for the month in which the payment expenditure was incurred.  For the exchange rates please see the website:  <http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/index_en.cfm>. |
| **10. What documentation shall be submitted by a Russian beneficiary in case the approval of technical documentation is not required by national legislation?** |
| Annex A15 to be submitted by Russian beneficiaries shall include: 1) explanatory note to the valid technical documentation; 2) acceptance of technical documentation by relevant institutions; 3) cost estimation documentation approved by relevant institutions. In case the acceptance of technical documentation by relevant institutions (point 2) is not required by national legislation, a beneficiary can submit instead a letter addressed to the JTS (in English) with an explanation and reference to relevant national legislation under which it is exempted from obtaining the approval of technical documentation by authorised bodies. |
| **11.** **How to fill in the online generator in case there are several infrastructural components valued less than 1 million euro?** |
| After information on these infrastructural components is inserted in the budget section, the online generator will create the corresponding number of additional lines in section 3.5 Brief Feasibility Study so that you will be able to describe each infrastructural component separately. |
| **12.** **Can contracts be concluded before the start of the implementation period of a project?** |
| In general, contract awarding procedures may be initiated and contracts may be concluded by the beneficiaries before the start of the implementation period of the project (more information is provided in 6.2.1 General rules regarding the cost eligibility in the Programme Manual Part I – Applicant). However, their execution must be carried out within the implementation period of the project: to be considered eligible, costs must be incurred during the implementation period of the project (with an exception of costs related to preparation of final reports and preparatory costs described in the Programme Manual Part I – Applicant, point 6.2.2). |
| **13.** **Which legislation in relation to procurement requirements shall prevail in case there is any contradiction between national legislation and the Programme requirements based on the EU regulations and the Financing Agreement?** |
| In case of any contradiction, the beneficiaries should apply the Programme requirements based on the EU regulations and the Financing Agreement signed between the EC, the Government of the Russian Federation and the Government of the Republic of Poland. |
| **14.** **What is the difference between target groups and final beneficiaries?** |
| *Target group(s)* is defined as the individuals, group(s) or entity(ies) who will be directly positively affected by the project at the level of project objective and project outputs. In other words groups/entities that will benefit from project activities realisation. Usually they are recipients/participants of project activities. E.g. school teachers trained about innovative teaching methods involving IT tools; local tourist information organisations better equipped to provide more advanced services. Please note that individuals/entities included in target group are not necessarily receiving a financial grant and not even directly involved in the project as beneficiaries.  *Final beneficiaries* are defined as individuals or entities who benefit from the project in the long term at the level of the society or sector at large. Usually it is a wider group of people/entities. E.g. schoolchildren benefitting from better education programmes/education, cross-border tourists in the particular area using particular services. |
| **15.** **During which period preparatory costs and retroactive grant costs should be incurred and paid to be eligible?** |
| According to the point 6.2.2 Programme Manual Part I – Applicant the grant may be awarded retroactively for the project in cases where costs are related to studies and documentation needed for an infrastructure component and where the applicant can demonstrate the need to start the project before the contract is signed (other costs). Moreover, to allow the preparation of strong partnerships the Programme foresees preparatory costs in amount of 5000 EUR.  Each type of costs described above has specific eligibility requirements in terms of the period when these costs should be incurred and paid to be considered as eligible.  First type is the *retroactive grant for the preparation of studies and documentation* related to an infrastructure component. To be considered eligible these costs should be incurred after 08 December 2016 i.e after the adoption of the Programme by the European Commission – for Polish beneficiaries, and after 01 January 2018 i.e. after signature of the Financing Agreement among the European Commission, the Russian Federation and the Republic of Poland – for Russian beneficiaries. In any case costs of retroactive grant for studies and documentation related to an infrastructure component shall be incurred before the submission of the application form and paid before the start of project implementation period.  Another type of grant that may be *awarded retroactively (other costs)* in case the beneficiary can demonstrate the need to start the project before the signature of the grant contract. It shall not have been incurred prior to the date of submission of the application form by the project. These costs should be incurred after submission of the application form and could be paid during the implementation period of the project.  *Costs for preparation of the strong partnership* shall be both incurred and paid after the start of the 1st call for Proposals (i.e. 16 April 2018) and before the submission of the application form by the project.  *Note!* No grant may be awarded retroactively for projects already completed. |
| **16.** **How is the 7% of the administrative costs for the project allocated among project beneficiaries?** |
| The 7% of the administrative costs are calculated on the basis of individual budget amounts of each project beneficiary (7% of eligible direct costs, excluding costs related to an infrastructure component). |
| **17. Can the beneficiary subcontract (e.g. on a basis of civil law contract) its employees for implementation of project activities (e.g. researches, publications etc.) and put the cost in the budget heading 1. Staff costs or budget heading 4. Services?** |
| As a rule Lead beneficiary/beneficiary is not allowed to subcontract staff member of its own organization or staff member of other beneficiary, or other beneficiary (legal body) as service provider. The only possible exception is the performance of a specific work based on a contract for specific task. Please note that according to the Programme rules defined in the Programme Manual Part I – Applicant service costs are subject to applicable public procurement rules and each lead beneficiary/beneficiary is responsible for ensuring that these rules have been respected. Even below EU thresholds, signing contracts must comply with the principles of transparency, non-discrimination, equal treatment, cost efficiency and effective competition. |
| **18. What contracts are assumed by the other than labour contracts in the Budget heading 1. Staff costs?** |
| As a rule the beneficiaries are allowed to employ new personnel (physical persons without legal personality) particularly for the project implementation purpose and solely for the project implementation period under the labour contracts or contracts other than labour contracts (e.g. civil law contracts or other agreements applicable in accordance with national legislation). Thus, if the beneficiary employs a physical person without legal personality for the project management purpose (ensuring that that the applicable public procurement rules were respected) under the civil law contract, the cost could be placed to the Budget heading 1. Staff costs. If the beneficiary concludes the civil law agreement with legal entity the costs should be placed to the Budget heading 4. Services. |
| **19. If, according to national legislation, polish beneficiary is not obliged to obtain *Decyzja o środowiskowych uwarunkowaniach zgody na realizację przedsięwzięcia* should we provide, together with AF, a letter from relevant institution confirming this information? In many cases these institutions don’t respond to such questions. The only solution to receive a written statement from an authority is unnecessary preparation of an application for issuing an environmental decision. Would it be possible that beneficiary provide a self-declaration?** |
| We kindly inform that in order to streamline the project evaluation and selection process, the requirements for submission of Annex A12 have been simplified:  • Polish infrastructure project applicants - in case of construction works not being the subject of the obligatory environmental assessment a self-declaration of the beneficiary with the reference to the applicable law should be submitted or a statement issued by relevant institution. |