# **CALL FOR PROPOSALS**

Representation of SMEs interests in European standardisation Call for proposals for a Framework Partnership Agreement 223/G/GRO/STA/16/1321

# **GRANT PROGRAMME 2017**

The present call for proposals is composed of a set of Grant Submission Documents, which form an integral part of this call:

The call for proposals,

The Guide for Applicants

The Submission Set

The terms set out in the call for proposals document shall take precedence over those in the other parts of the Grant Submission Documents.

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INTERESTED PARTIES ARE INVITED TO READ CAREFULLY THE BELOW INSTRUCTIONS, AND TO USE THE QUESTIONNAIRE PROVIDED IN CHAPTER II OF THE GUIDE FOR APPICANTS IN ORDER TO ENSURE THAT APPLICATIONS ARE COMPLETE WHEN SUBMITTED.

### 1. CONTEXT

The Regulation (EU) No 1025/2012<sup>1</sup> of the European Parliament and of the Council on European standardisation, adopted on 25 October 2012 (the Regulation) emphasises the importance of the participation of all relevant interested parties including SMEs and societal and social stakeholders in the European standardisation process.

Standards are important tools for the competitiveness of undertakings and especially SMEs, whose participation in the standardisation process is important for technological progress in the Union. Furthermore, standards can have a broad impact on society, in particular on the safety and well-being of citizens, the efficiency of networks, the environment, workers' safety and working conditions, accessibility and other public policy fields.

However, standards are written by technical experts in their field who represent the background and interest of the companies which these experts work for. It is therefore important for the EU to facilitate and support the participation of experts representing background and interests of SMEs and societal and social stakeholders in the standardisation process, especially in the European context where European standards play a very important role in supporting EU legislations and EU policies.

Historically, the participation of SMEs and societal and social stakeholders had been supported by different EU programmes. The Regulation has put the inclusiveness of the European standardisation process as a priority and unified the legal basis for the role, the establishment and the financing of European stakeholders organisations in standardisation.

Regarding the representation of SMEs interests in standardisation, the Commission has provided financial support to SBS – Small Business Standards within the framework of the Regulation 1025/2012 from 2014 to 2017<sup>2</sup>. The European Free Trade Association (EFTA) had also provided financial support to SBS, amounting about 5% of the total cost accepted by the Commission.

### 2. OBJECTIVE OF THE CALL

This **Call for Proposals aims** at concluding a **Framework Partnership Agreement (FPA)** with a European Organisation representing SME interests in European standardisation activities.

The legal basis for the call are the Regulation (EU) No 1025/2012 and the Commission's financing decision C(2017)204 of 23/01/17 on the adoption of the work programmes for 2017 and on the financing for the implementation of actions under the activity "Internal market for goods and services" and of certain actions under the activity "European satellite navigation programmes (EGNOS and Galileo)" of the Directorate-General Internal Market, Industry, Entrepreneurship and SMEs.

The Framework Partnership Agreement formalises the partnership between the European Commission and the selected partner (the Partner) by specifying the common objectives agreed, the type of action envisaged, the procedure for awarding specific grants and the general rights and obligations of each party under the specific agreement. However the Framework Partnership Agreement does not per se constitutes an obligation to award grants to the Partner. The maximum duration of the FPA is three years with the possibility of one extension of one year.

Based on the FPA and a proposed annual work programme, the Commission may conclude, in a separate step, a specific agreement and award an **Operating grant (OG)** to the Partner. The purpose of an **Operating Grant** is to provide financial support for the existence and functioning of a body over a period that is equivalent to its accounting period to enable it to carry out a set of activities. In other words, the grant is awarded to support a work programme proposed by the beneficiary for the duration of the accounting period concerned. The operating grant will be concluded for one year subject to the satisfactory evaluation of the

published in the Official Journal of the European Union in the series L 316 and entered into force on 1 January 2013 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:316:0012:0033:EN:PDF

http://www.sbs-sme.eu/

financial viability and of the capacity of co-financing of the Partner. It may be renewed yearly according to the terms defined in the FPA.

The Commission may also award to the Partner, based on the provisions of the FPA, specific grants for an action.

In the application, the applicants are requested to propose a hypothetical work programme together with an indicative budget for the first year. In case of successful application and after the signature of the FPA, the Partner would be asked to submit to the Commission for agreement a work programme for 2018 together with a budget, taking into account the recommendations of the Commission's Evaluation Committee. Based on this proposal, an Operating Grant could be awarded.

**The European organisation (the Partner)** representing the interests of SME in European standardisation activities should meet the eligibility criteria for Union financing specified in the Annexe III of the Regulation:

- (a) is non-governmental and non-profit-making;
- (b) has as its statutory objectives and activities to represent the interests of SMEs in the standardisation process at European level, to raise their awareness for standardisation and to motivate them to become involved in the standardisation process;
- (c) has been mandated by non-profit organisations representing SMEs in at least two thirds of the Member States, to represent the interests of SMEs in the standardisation process at European level.

Article 16 of the Regulation defines the scope of the activities for such Union financing:

- (a) the functioning of these organisations and of their activities relating to European and international standardisation, including the processing of technical work and the provision of information to members and other interested parties;
- (b) the provision of legal and technical expertise, including studies, in relation to assessment of the need for, and the development of, European standards and European standardisation deliverables and training of experts;
- (c) the participation in the technical work with respect to the development and revision of European standards and European standardisation deliverables which is necessary and suitable for the support of Union legislation and policies;
- (d) the promotion of European standards and European standardisation deliverables, and the information on and use of, standards among interested parties, including SMEs and consumers.

Article 5 of the Regulation requests the European standardisation organisations (ESOs) to encourage and facilitate an appropriate representation and effective participation of all relevant stakeholders, especially through the European stakeholder organisations receiving Union financing, in their standardisation activities, such as:

- (a) the proposal and acceptance of new work items;
- (b) the technical discussion on proposals;
- (c) the submission of comments on drafts;
- (d) the revision of existing European standards or European standardisation deliverables;
- (e) the dissemination of information of, and awareness-building about, adopted European standards or European standardisation deliverables.

The Regulation has also asked that the European Organisations representing SMEs and the societal and social stakeholders be consulted before the adoption of the Annual Union Work Programme for European standardisation and other standardisation related decisions. The Committee on standards set up under the Regulation should also work in cooperation with these European Organisations.

To implement the Regulation, the Partner will ensure that its membership policy is open and easy for all relevant associations to join. Efforts should be made to ensure a broad geographical and sectoral coverage. The Partner will participate in the work of a selected number of Technical bodies of ESOs based on a systematic and comprehensive review of the relevance of all ESO's technical bodies to the interests of

SMEs. The selection process of experts and criteria of assessment should be open and transparent. The list of experts should be published and updated on the Partner's website.

The Partner should set up a consultation procedure involving all relevant actors. The Partner must ensure that its system of consultation, ex ante and ex post, is robust, clear, comprehensive, sound, broad, transparent, consensual, inclusive and pro-active. The partner will also ensure that any adopted position is made publicly available and includes clear information on organisations which were consulted, how this position has been achieved and which organisations have contributed to it. All the steps of the consultation (ex ante, ex post), the contributions of every party and the final position taken will be disclosed on the Partner's website.

The Partner will inform regularly all interested parties about its work, in terms of its activities, processes, positions and achieved results. In addition, under Article 24.2 of the Regulation, the Partner is requested to provide the Commission with an annual report on its activity containing detailed information about the membership and activities referred to in Article 16 of the Regulation.

The Partner is encouraged to cooperate with the other European organisations representing stakeholders financed under the Regulation to improve the inclusiveness of the European standardisation system and to promote the participation of SMEs and societal and social stakeholders in the standardisation activities. It will participate in the coordination meetings of organisations representing stakeholders and coordination meetings with ESOs (2 to 4 meetings per year in Brussels). The Partner will attend the meetings of the Committee on standards set up under the Regulation as an observer (2 to 4 meetings per year in Brussels).

The Partner will set up a mechanism for an efficient and effective interaction with the European Commission for the Framework Partnership and the management of the operating grant.

### 3. TIMETABLE

Scheduled date for entry to force of the Framework Partnership Agreement: on the date of the signature of the Framework Partnership Agreements (FPA) by the last party.

	Stages	Date and time or indicative period
a)	Publication of the call	2/2017
b)	Deadline for submitting applications	31/05/2017 at 17:00
c)	Information to applicants	By the end of 2017
d)	Signature of the FPA	By the end of 2017
e)	Starting date of the Operating grant	1/2018

For information and in relation to the Operating grant:

- the maximum duration of an operating grant is 12 months.
- In the case of <u>operating grants</u>, the grant agreement shall be signed or notification of the grant decision given within six months of the start of the beneficiary's financial year. Costs eligible for financing may neither have been incurred before the grant application was submitted nor before the start of the beneficiary's financial year
- In the case of <u>action grants</u>, the period of eligibility of costs will start at the earliest on the day the grant agreement is signed by the last of the parties. If a beneficiary can demonstrate the need to start the action before the agreement is signed, the expenditure may be eligible as from a date before the agreement is signed. Under no circumstances can the eligibility period start before the date of submission of the grant application. In the case of operating grants, the grant agreement shall be signed or notification of the grant decision given within six months of the start of the beneficiary's financial year. Costs eligible for financing may neither have been incurred before the grant application was submitted nor before the start of the beneficiary's financial year.

### 4. **EU FINANCING**

This call aims at the conclusion of a Framework Partnership Agreement (FPA). The information given below relates to the financing of the hypothetical 1st year work programme to be included in the Application for the FPA, which should be taken into account by the applicants when preparing the work programme.

Estimated Maximum budget allocated for EU financing of an operating grant for 2018: € 2.000.000

Estimated Maximum EU financing rate of eligible costs for 2018: 85%

Proposals with an EU co-financing beyond any of the above two maxima will not be eligible.

The Commission reserves the right to award a grant of less than the amount requested by the applicant. In such a case, applicants will be asked either to increase their co-financing, propose other co-financing means or to decrease the total costs without altering the substance of the proposal. Grants will not be awarded for more than the amount requested.

Publication of the call (on the Commission Internet site and/or in the Official Journal) does not guarantee the availability of funds for the above action.

### 4.1. GENERAL PRINCIPLES OF EU FUNDING

#### Non-cumulative award

Each action may give rise to the award of only one grant from the budget to any one beneficiary.

In no circumstances shall the same costs be financed twice by the Union budget.

Applicants may receive only one operating grant per financial year from the budget of the European Union.

Applicants have to inform the Commission immediately of any multiple applications and multiple grants relating to the same action. The applicant shall inform about sources and amounts of EU funding received or applied for the same action or for part of the action. Applicants shall indicate if they receive EU funding for their functioning during the financial year in which the action takes place.

#### Non-retroactivity

No grant may be awarded retrospectively for actions already completed.

A grant may be awarded for an action which has already begun, provided the applicant can demonstrate the need to start the action before the grant agreement is signed. In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application.

Costs eligible for financing may not have been incurred before the grant application was lodged nor before the start of the beneficiary's budgetary year.

### Co-financing

Grants shall involve co-financing, which implies that the resources necessary to carry out the action or the work programme shall not be provided entirely by EU contribution. EU financing may not cover 100% of the total costs of the action.

Co-financing of the action or of the work programme may take the form of:

- the beneficiary's own resources,
- income generated by the action or work programme,
- financial contributions from third parties.

#### Non-profit rule

EU grant may not have the purpose or effect of producing a profit within the framework of the action of the work programme of the beneficiary.

Where a profit is made, the Commission is entitled to recover the percentage of the profit corresponding to the EU contribution to the eligible costs actually incurred. For this purpose, profit shall be defined as a surplus of the receipts over the eligible costs incurred, when the request for payment of the balance is made.

### Balanced budget

The estimated budget of the action or work programme is to be attached to the application form. It must have revenue and expenditure in balance.

The budget must be drawn up in euros.

Applicants, who foresee that costs will not be incurred in euros, are invited to use the exchange rate published on the Infor-euro website available at <a href="http://ec.europa.eu/budget/contracts">http://ec.europa.eu/budget/contracts</a> grants/info contracts/inforeuro/inforeuro en.cfm.

### 4.2. ELIGIBLE COSTS

In order be eligible for funding, costs should be actually incurred by the beneficiary and meet the following criteria:

- they are incurred during the duration of the action or work programme, as indicated in the grant agreement, with the exception of costs relating to the request for payment of the balance and the corresponding supporting documents (audit certificates);
- they are indicated in the estimated budget of the action or work programme;
- they are necessary for the implementation of the action or of the work programme, in accordance with the description of the action, attached to the grant agreement;
- they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost accounting practices of the beneficiary;
- they comply with the requirements of applicable tax and social legislation;
- they are reasonable, justified, and comply with the principle of sound financial management, in particular regarding economy and efficiency.

The beneficiary's internal accounting and auditing procedures must permit direct reconciliation of the costs and revenue declared in respect of the action/project with the corresponding accounting statements and supporting documents.

The costs made by affiliated entities can be eligible, provided that:

- the entities concerned are identified in the grant agreement;
- the entities concerned abide by the rules applicable to the beneficiary under the grant agreement with regard to eligibility of costs and rights of checks and audits by the Commission, OLAF and the Court of Auditors

Please note that the exact scope of the eligibility of costs is defined by the grant agreement, which will be signed with the successful applicants.

### 4.2.1. Eligible direct costs

Direct costs of the action are those specific costs which are directly linked to the implementation of the action and can therefore be attributed directly to it. They shall not include any eligible indirect costs.

The following categories of costs can be considered as eligible direct costs:

 the costs of personnel working under an employment contract with the beneficiary or an equivalent appointing act and assigned to the action, comprising actual salaries plus social security contributions and other statutory costs included in the remuneration, provided that these costs are in line with the beneficiary's usual policy on remuneration. Those costs may also include additional remunerations, including payments on the basis of supplementary contracts regardless of the nature of those contracts, provided that they are paid in a consistent manner whenever the same kind of work or expertise is required, independently from the source of funding used.

- costs of travel and related subsistence allowances, provided that these costs are in line with the beneficiary's usual practices on travel;
- the depreciation costs of equipment or other assets (new or second-hand) as recorded in the
  accounting statements of the beneficiary, provided that the asset has been purchased in accordance
  with the conditions applicable to implementation contracts and that it is written off in accordance with
  the international accounting standards and the usual accounting practices of the beneficiary
- costs of consumables and supplies, provided that they are purchased in accordance with the conditions applicable to implementation contracts;
- costs arising directly from requirements imposed by the grant agreement (dissemination of
  information, specific evaluation of the action, audits, translations, reproduction), including the costs
  of requested financial guarantees, provided that the corresponding services are purchased in
  accordance with the conditions applicable to implementation contracts;
- costs entailed by subcontracts, concluded for the externalisation of specific tasks or activities which
  form part of the action or workproramme as described in the proposal, provided that the conditions
  with the conditions applicable to implementation contracts are met;
- duties, taxes and charges paid by the beneficiary, provided that they are included in eligible direct costs, and unless specified otherwise in the Agreement.
   Non-deductible VAT is eligible
- costs relating to a pre-financing guarantee lodged by the beneficiary of the grant, where that guarantee is a condition for the payment of a pre-financing;
- costs relating to external audits where such audits are required in support of the requests for payments;

### 4.2.2. Eligible indirect costs

Indirect costs are not eligible for beneficiaries that receive an operating grant from the European Commission.

### 4.2.3. Non-eligible costs

In addition to any other costs which do not fulfill the conditions set out in Article II.19.1, the following costs shall not be considered eligible:

- return on capital;
- debt and debt service charges;
- provisions for losses or debts;
- interest owed;
- doubtful debts;
- exchange losses;
- costs of transfers from the Commission charged by the bank of a beneficiary;
- costs declared by the beneficiary in the framework of another action receiving a grant financed from the Union budget (including grants awarded by a Member State and financed from the Union budget and grants awarded by other bodies than the Commission for the purpose of implementing the Union budget);
- in particular, indirect costs shall not be eligible under a grant for an action awarded to a beneficiary which already receives an operating grant financed from the Union budget during the period in question;

- contributions in kind from third parties;
- excessive or reckless expenditure;
- deductible VAT.
- participation by any staff of the institutions in actions receiving grants
- any other costs which have been specified as ineligible in the call for proposal

In addition to the above, the Commission can refuse to finance certain costs included in the proposal. The beneficiary can decide to maintain and finance these costs out of his own resources, but they will not be taken into account as eligible costs.

### 4.3. CO-FINANCING AND JOINT AND SEVERAL RESPONSIBILITY

The beneficiary has to supply evidence of the co-financing provided. It can be provided either by way of own resources, or in the form of financial transfers from third parties.

In case of a joint application, all partners shall agree upon appropriate arrangements between themselves for the proper performance of the action.

In particular, they shall accept joint and several responsibility up to the value of the contribution that the beneficiary held liable is entitled to receive, as stipulated in the General Conditions of the draft grant agreement.

The final grant agreement shall be signed by each applicant. Alternatively it shall be signed by the appointed co-ordinator, provided that a power of attorney has been conferred to this entity (Annex IV of the draft grant agreement).

#### 4.4. IMPLEMENTATION CONTRACTS/SUBCONTRACTING

Where the implementation of the action or the work programme requires the use of contracts (implementation contracts), the beneficiary must ensure that the contract is awarded to the bid offering best value for money or the lowest price (as appropriate), avoiding conflicts of interests and retain the documentation for the event of an audit.

Entities acting in their capacity of contracting authorities shall abide by the applicable national public procurement rules, in the meaning of Directive 2014/24/EU on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts or contracting entities in the meaning of Directive 2014/25/EU coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors.

### Sub-contracting for the purpose of the action

Sub-contracting refers to contracts concluded for the externalisation of specific tasks or activities which form part of the action or work programme as described in the proposal. Such contracts must satisfy the conditions applicable to any implementation contract and, in addition, the following conditions:

- Subcontracting may only cover the implementation of a limited part of the action up to 30% of the eligible costs. However this percentage does not include the fees paid to the experts appointed in the Technical Committees (TCS) and relevant working groups of the European Standardisation Organisations.
- It must be justified having regard to the nature of the action and what is necessary for its implementation;
- The proposal should clearly identify the subcontracted activities

Subcontracting does not in any way limit the responsibility of beneficiaries for the implementation of the action. Please note that the beneficiary(ies) should have the necessary capacity to perform the project. Only tasks that are not core business can be sub-contracted to consultants.

It is not necessary to have already selected subcontractors at the time the proposal is submitted. However, cost of contractors not selected in accordance with the applicable rules for procurement will not be eligible.

### 4.5. FINANCIAL SUPPORT TO THIRD PARTIES

The applications may not envisage provision of financial support to third parties.

### 4.6. FINAL GRANT AND PAYMENT ARRANGEMENTS

The draft grant agreement annexed to this call for proposals specifies the calculation of the final grant and the payment arrangements.

Your attention is in particular drawn to the General Conditions of the grant agreement, where the eligibility of costs is described. Detailed explanations and a description how costs should be budgeted and reported can be found in the Guide for Applicants.

In case of grants of at least  $750.000 \in$ , when the cumulative amounts of request for payment is at least  $325.000 \in$ , a certificate by a registered auditor on the financial statements and underlying accounts ("certificate on the financial statements") has to be submitted to certify that the costs reported are real, accurate and in accordance with the grant agreement.

EU grant may not have the purpose or effect of producing a profit within the framework of the action of the work programme of the beneficiary. Where a profit is made, the Commission is entitled to recover the percentage of the profit corresponding to the EU contribution to the eligible costs actually incurred. For this purpose, profit is defined as a surplus of the receipts over the eligible costs incurred by the beneficiary, when the request is made for payment of the balance. Where such a surplus occurs, the Commission is entitled to recover the percentage of the profit corresponding to the EU contribution to the eligible costs actually incurred by the beneficiary.

The Commission may require the beneficiary to lodge a guarantee for grants exceeding € 60 000, based on a risk analysis.

In the event that the applicant's financial capacity is not satisfactory, a pre-financing guarantee for up to the same amount as the pre-financing may be requested in order to limit the financial risks linked to the pre-financing payment.

The financial guarantee, in euro, shall be provided by an approved bank or financial institution established in one of the Member State of the European Union. When the beneficiary is established in a third country, the authorising officer responsible may agree that a bank or financial institution established in that third country may provide the guarantee if he considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts shall not be accepted as financial guarantees.

The guarantee may be replaced by a joint and several guarantee by a third party or by a joint guarantee of the beneficiaries of an action who are parties to the same grant agreement.

### 5. ELIGIBILITY

APPLICATIONS MUST COMPLY WITH ALL OF THE ELIGIBILITY CRITERIA SET OUT IN THIS SECTION.

### 5.1. ELIGIBLE APPLICANTS

Applications from legal entities established in one of the following countries are eligible:

EU Member States

**The European organisation (the Partner)** representing the interests of SMEs in European standardisation activities should meet the eligibility criteria for Union financing specified in the Annexe III of the Regulation:

- (a) is non-governmental and non-profit-making;
- (b) has as its statutory objectives and activities to represent the interests of SMEs in the standardisation process at European level, to raise their awareness for standardisation and to motivate them to become involved in the standardisation process;
- (c) has been mandated by non-profit organisations representing SMEs in at least two thirds of the Member States, to represent the interests of SMEs in the standardisation process at European level.

Several applicants, submitting a joint proposal should choose within their midst a lead organisation, referred to as the coordinator.

The coordinator and other applicants must satisfy the same eligibility criteria, except 5.1 (c), where the coordinator and other applicants will be evaluated as a whole.

- Applications must be submitted by a legal person.
- Corporate bodies must be properly constituted and registered under the law. If a body or organisation is not constituted under the law, a physical person must be designated to provide the legal responsibility.
- Legal entities having a legal or capital link with applicants, which is neither limited to the action nor established for the sole purpose of its implementation, may take part in the action as affiliated entities, and may declare eligible costs. For that purpose, applicants shall identify such affiliated entities in the application form. The affiliated entities will have to comply with the eligibility and exclusion criteria.
- Several entities that form together one entity, whether or not this entity is established for the purpose
  of implementing the action, may apply as a sole beneficiary. The entities will be considered as
  affiliated entities, which each will have to comply with eligibility, exclusion and selection criteria.

For the application, the entity (the European Organisation representing the interests of SMEs) may be not yet legally constituted when the proposal is submitted, but the constituting partners have to commit and confirm their intention to create such an organisation by letters of intent, and choose a lead applicant (coordinator) between them.

The entity may be established after the signature of the Framework Partnership Agreement, but must obtain legal personality and meet the above-listed eligibility criteria in order to be eligible for an operating grant, since it will be this entity, and not all the consortium partners, to formally sign the operating grant with the European Commission.

### **Supporting documents**

Subject to the eligibility criteria indicated above, the applicants should provide the following supporting documents to establish their eligibility:

- private entity: extract from the official journal, copy of articles of association, extract of trade or association register, certificate of liability to VAT (if, as in certain countries, the trade register number and VAT number are identical, only one of these documents is required);
- public entity: copy of the resolution or decision establishing the public company, or other official document establishing the public-law entity;
- consortium: in addition to the supporting documents referring to their legal status, consortium members will submit letters confirming their participation to the project,
- natural persons: photocopy of identity card and/or passport;
- entities without legal personality: documents providing evidence that their representative(s) have the capacity to undertake legal obligations on their behalf.

### 5.2. ADMISSIBLE AND ELIGIBLE PROPOSALS

Applications must comply with the following conditions in order to be eligible for a grant:

- Applications must be sent no later than the deadline for submitting applications referred to in section
   9.
- Applications must be submitted in writing, using the application form and the electronic submission system, as indicated in the Guide for Applicants.
- Applications must be drafted in one of the EU official Languages. If your proposal is not in English, a
  translation of the full proposal would be of assistance to the evaluators. An English translation of an
  abstract may be included in the proposal (see Guide for Applicants).
- Proposals must be submitted in conformity with the call specifications;
- Only projects that are strictly non-profit-making and/or whose immediate objective is non-commercial shall be eligible.
- Applications must respect the maximum rate for EU co-financing.
- Applications must respect the maximum amount for EU co-financing.
- Applications must respect the maximum duration of projects.
- Applications must respect the requirements set for the start date.

In this context, will be rejected any project directly or indirectly contrary to EU policy or against public health, human rights, citizen's security or freedom of expression.

### 6. EXCLUSION CRITERIA

### 6.1. EXCLUSION FROM PARTICIPATION

An entity will be excluded from participating in the call for proposals procedure if:

- (a) it is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;
- (b) it has been established by a final judgment or a final administrative decision that the entity is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;
- (c) it has been established by a final judgment or a final administrative decision that the entity is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
- (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;
- (ii) entering into agreement with other entity with the aim of distorting competition;
- (iii) violating intellectual property rights;
- (iv) attempting to influence the decision-making process of the contracting authority during the award procedure;
- (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- (d) it has been established by a final judgment that the entity is guilty of any of the following:
- (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
- (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the law of the country where the contracting authority is located, the country in which the applicant is established or the country of the performance of the contract;
- (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
- (iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;
- (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
- (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

- (e) the entity has shown significant deficiencies in complying with main obligations in the performance of a contract financed by the budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the entity has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95.
- (g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:
- (i) facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
- (ii) non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
- (iii) decisions of the ECB, the EIB, the European Investment Fund or international organisations;
- (iv) decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law.
- (v) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

The same exclusion criteria apply to affiliated entities.

### 6.2. EXCLUSION FROM AWARD

Grants will not be awarded to applicant who, in the course of the grant award procedure is:

- (a) is in a situation of exclusion established in accordance with Article 106 FR
- (b) has misrepresented the information required as a condition for participating in the grant award procedure or has failed to supply that information;
- (c) was previously involved in the preparation of procurement documents where this entails a distortion of competition that cannot be remedied otherwise.

The same exclusion criteria apply to affiliated entities.

### 6.3. SUPPORTING DOCUMENTS

Applicants must sign a declaration on their honour certifying that they are not in one of the situations referred to by filling in the "Exclusion Criteria Form" (form B4)

Administrative and financial penalties may be imposed on applicants, or affiliated entities where applicable, who are guilty of misrepresentation.

By using the "Exclusion Criteria Form" applicants shall declare on their honour that they are not in one of the situations referred to in Articles 106 and 107 of the Regulation (EC, Euratom) n° 966/2012 on the financial rules applicable to the general budget of the Union (Financial Regulation, as amended).

Please note that administrative and financial penalties may be imposed by the Commission on applicants who are excluded in relation to points a) to g) of the form in question.

For grants with a value exceeding € 60 000, the Commission may require further evidence, as indicated in article 143 Rules of Application.

### 7. SELECTION

#### 7.1. FINANCIAL CAPACITY

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out or the year for which the grant is awarded and to participate in its funding. The applicants' financial capacity will be assessed on the basis of the following supporting documents to be submitted with the application:

For grants of a total value < EUR 60 000:

a declaration on honour

For grants of a total value ≥ EUR 60 000, in addition:

- a declaration on honour and,
- form B/5 provided for in the submission set, filled in with the relevant statutory accounting figures.
   Other documents may be submitted if needed (see IV.4 Guide to applicants)

For grants for an action ≥ EUR 750 000 or operating grants ≥ EUR 100 000, in addition:

 an audit report produced by an approved external auditor certifying the accounts for the last financial year available.

In the event of an application grouping several applicants (consortium), the above threshold regarding audit reports applies per applicant.

In the case of affiliated entities forming together **one** sole applicant, the above requirements apply to each of the affiliated entity.

### 7.2. OPERATIONAL CAPACITY

Applicants must show they have the **operational (technical and management) capacity** to complete the operation to be supported and must **demonstrate their capacity to manage scale activity** corresponding to the size of the project for which the grant is requested. In particular, the **team responsible** for the project/operation must have **adequate professional qualifications and experience**.

In this respect, applicants have to submit:

- a declaration on their honour,
- the following supporting documents:
  - curriculum vitae or description of the profile of the people primarily responsible for managing and implementing the operation (accompanied where appropriate, like in the field of research and education, by a list of relevant publications);
  - the organisations' activity reports;

- an exhaustive lists of previous projects and activities performed and connected to the policy field of a given call or to the actions to be carried out;
- a description of the technical equipment, tools or facilities and patents at the disposal of the applicant;
- an inventory of natural or economic resources involved in the project.

In the case of affiliated entities forming together a sole applicant, the above requirements apply to each affiliate entity.

The selection procedure is described in further detail in the Guide for Applicants.

### 8. AWARD

An evaluation of the quality of proposals, including the proposed budget, will be carried out in accordance with the evaluation criteria set out in annex 3 to this call for proposals.

The evaluation procedure is described in further detail in the Guide for Applicants.

### 9. SUBMISSION OF PROPOSALS

Please note that only electronic submissions are allowed for this call.

Please consult the Guide for Applicants for the modalities of preparing the proposal.

Submission of a grant application implies acceptance of the conditions of the grant agreement, attached to this call

The deadline for submission of proposals is:

### 31/05/2017 17.00:00 Brussels local time

### 10. CONTACTS

Contacts between the contracting authority and potential applicants can only take place in certain circumstances and under the following conditions only:

Before the final date for submission of proposals,

- At the request of the applicant, the Commission may provide additional information solely for the purpose of clarifying the nature of the call.
- Any requests for additional information must be made in writing only to the coordinates stated below.
- The Commission may, on its own initiative, inform interested parties of any error, inaccuracy, omission or other clerical error in the text of the call for proposals.

 Any additional information including that referred to above will be published on the internet in concordance with the various call for proposals documents.

### After the deadline for submission of proposals:

- If clarification is requested or if obvious clerical errors in the proposal need to be corrected, the Commission will contact the applicant provided the terms of the proposal are not modified as a result.
- If the authorising officer finds that those proposals, which have been listed for award needs limited adaptations to their proposal. In such case, these applicants will receive a formal letter setting out the requested modifications. Any such modifications must stay within the limits of the request. This phase will not lead to a re-evaluation of the proposals, but a proposal might be rejected if the applicant does not wish to comply with the modifications requested.

#### Contact coordinates for the call:

**European Commission** 

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Directorate B - Single Market Policy, Regulation and Implementation

Unit B.3 - Standards for Growth

E-mail address: GROW-CFP-1321-SMES-STANDARDS@ec.europa.eu

Office address: Av. des Nerviens 105 3/55, B-1049 Brussels, Belgium

### 11. DATA PROTECTION

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, the questions and any personal data requested are required to evaluate the application in accordance with the specifications of the call for proposal will be processed solely for that purpose by Unit B.3 e- Standards for Growth.

Details concerning the processing of personal data are available on the privacy statement at:

http://ec.europa.eu/dataprotectionofficer/privacystatement\_publicprocurement\_en.pdf.

Personal data may be registered in the Early Detection and Exclusion System (EDES) if the applicant is in one of the situations mentioned in Article 106 of the Financial Regulation. For more information, see the Privacy Statement on:

http://ec.europa.eu/budget/explained/management/protecting/protect\_en.cfm)

### 12. PUBLICITY

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used.

In this respect, beneficiaries are required to give prominence to the name and emblem of the European Commission on all their publications, posters, programmes and other products realised under the cofinanced project.

To do this they must use the text, the emblem and the disclaimer available at <a href="http://ec.europa.eu/dgs/communication/services/visual\_identity/pdf/use-emblem\_en.pdf">http://ec.europa.eu/dgs/communication/services/visual\_identity/pdf/use-emblem\_en.pdf</a>. If this requirement is not fully complied with, the beneficiary's grant may be reduced in accordance with the provisions of the grant agreement or grant decision.

With the exception of scholarships paid to natural persons and other direct support paid to natural persons in most need, all information relating to grants awarded in the course of a financial year shall be published on an internet site of the European Union institutions no later than the 30 June of the year following the financial year in which the grants were awarded.

The Commission will publish the following information:

- name of the beneficiary;
- address of the beneficiary (legal persons) or reference to the region (natural persons);
- subject of the grant;
- amount awarded.

Upon a reasoned and duly substantiated request by the beneficiary, the publication shall be waived if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

## 13. ANNEX 1 SUBMISSION SET

The Submission Set can be downloaded from the following page:  $\underline{\text{http://ec.europa.eu/growth/contracts-grants/calls-for-proposals/}} \ ($ 

## 14. ANNEX 2 GUIDE FOR APPLICANTS

The Guide for Applicants can be downloaded from the following page:  $\underline{\text{http://ec.europa.eu/growth/contracts-grants/calls-for-proposals/} }$ 

### 15. ANNEX 3 EVALUATION CRITERIA

When assessing the below evaluation criteria, the evaluation committee generally pays attention to the elements indicated below each criterion. Please note that these elements, which are indicative and non-exhaustive, are given on the basis of transparency and in order to help applicants to improve their applications.

EVALUATION CRITERIA AND KEY ELEMENTS LIKELY	
To Be Assessed By The Evaluation Committee	SCORE
1. Relevance	20
How relevant is the proposal to the objectives of the published theme?	
How clearly defined and strategically chosen are the target groups?	_
How relevant is the proposal to the needs of the proposed target groups?	
2. Visibility	10
To what extent will the Community involvement in the project or activity be publicised?	
3. Impact	20
To what extent is the project likely to have a tangible impact on its target groups?	
To what extent does the proposal contain potential multiplier effects? (Including possibilities for replication and extension of project outcomes, dissemination of information.)	
To what extent do the expected results of the project further DG GROWs work-programme and main priorities?	
To what extent does the proposal contain objectively verifiable indicators for project outcomes?	
4. Quality	30
How coherent is the overall project design? (Including preparedness for evaluation.)	
How coherent, appropriate and practical are the activities proposed?	
To what extent has the project been well thought out or prepared.	
To what extent does the proposal contain specific elements of added value, such as innovative approaches, models for good practice, promotion of gender equality and equal opportunities?	
How clear and feasible is the plan of action?	

5. Budget and Cost-effectiveness	20
To what extent is the budget clear and detailed? Does the breakdown of the budget, category by category, offer a way of ensuring that the amount of the grant awarded is the minimum necessary for the operation to be completed?	
Do the probable results stand in a reasonable relationship to the amount of the grant?	
To what extent are there no better ways of achieving the expected results?	
To what extent is the proposed expenditure necessary for the implementation of the project?	
Maximum total score	100

If a total score lower than 60 points or a score lower than 50% for any of the above five criteria is obtained, the proposal will not be evaluated further.

## 16. ANNEX 4 - AGREEMENT

- Framework partnership agreement