



Connecting Europe Facility (CEF)

Call for proposals

CEF 2 Energy - Cross-border renewable energy projects CEF-E-2023-CBRENEW-STUDIES and CEF-E-2023-CBRENEW-WORKS

> Version 3.0 08 December 2023

HISTORY OF CHANGES						
Version	Publication Date		Change	Page		
1.0	17.10.2023	-	Initial version			
2.0	18.10.2023	-	Web link to technical documentation on CB RES status 2023, supplementing the Delegated Regulation (EU/2022/2202)			
3.0	08.12.2023	•	Reference to new Delegated Regulation (EU/2023/2639) Correction of deadline Updated weblink to technical documentation on CB RES status 2023, supplementing the Delegated Regulation	various		



EUROPEAN CLIMATE, INFRASTRUCTURE AND ENVIRONMENT EXECUTIVE AGENCY (CINEA)

CINEA.B – Sustainable networks and investments CINEA.B.04 – CEF Energy and Renewable Energy Financing Mechanism

CALL FOR PROPOSALS

TABLE OF CONTENTS

0. Introduction
1. Background
2. Objectives — Themes and priorities — Activities that can be funded — Expected impact
Objectives (expected outcome)7
Themes and priorities (scope)7
Activities that can be funded (scope)7
Expected impact (expected results)9
3. Available budget
4. Timetable and deadlines10
5. Admissibility and documents10
6. Eligibility11
Eligible participants (eligible countries)11
Consortium composition13
Eligible activities13
Geographic location (target countries)13
7. Financial and operational capacity and exclusion13
Financial capacity13
Operational capacity14
Exclusion14
8. Evaluation and award procedure15
9. Award criteria16
10. Legal and financial set-up of the Grant Agreements17
Starting date and project duration17
Milestones and deliverables17
Form of grant, funding rate and maximum grant amount18
Budget categories and cost eligibility rules
Reporting and payment arrangements20
Prefinancing guarantees20
Certificates

Liability regime for recoveries	21
Provisions concerning the project implementation	
Other specificities	
Non-compliance and breach of contract	
11. How to submit an application	
12. Help	23
13. Important	24

0. Introduction

This is a call for proposals for EU **action grants** in the field of Energy under the **Connecting Europe Facility (CEF)**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2018/1046 (EU Financial Regulation)
- the basic act (CEF Regulation <u>2021/1153</u>¹)
- Regulation 2022/342 (Commission Delegated Regulation²)
- Regulation 2023/2639 (Commission Delegated Regulation³)

The call is launched in accordance with the 2021-2023 Work Programme⁴ and will be managed by the **European Climate, Infrastructure and Environment Executive Agency (CINEA)** ('Agency').

The call covers the following **topics**:

- CEF-E-2023-CBRENEW Works CEF2 Energy Cross-border renewable energy projects
- CEF-E-2023-CBRENEW Studies CEF2 Energy Cross-border renewable energy projects

Each project application under the call must address only one of these topics. Applicants wishing to apply for more than one topic, must submit a separate proposal under each topic.

¹ Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility (OJ L 249, 14.7.2021, p. 38).

² Commission Delegated Regulation (EU) 2022/342 of 21 December 2021 supplementing Regulation (EU) 2021/1153 of the European Parliament and of the Council with regard to the specific selection criteria and the details of the process for selecting cross-border projects in the field of renewable energy (OJ L 62, 1.3.2022, p. 1–8).

³ Commission Delegated Regulation (EU) 2023/2639 amending Delegated Regulation (EU) 2022/2202 supplementing Regulation (EU) 2021/1153 of the European Parliament and of the Council by establishing a list of selected cross-border projects in the field of renewable energy (OJ L, 2023/2639, 27.11.2023).

⁴ Commission Implementing Decision C(2021)5763 final of 5.8.2021 concerning the adoption of the work programme for 2021-2023 and the financing decision for the implementation of the Connecting Europe Facility (CEF).

We invite you to read the **call documentation** carefully, and in particular this Call Document, the Model Grant Agreement, the <u>EU Funding & Tenders Portal Online</u> <u>Manual</u> and the <u>EU Grants AGA — Annotated Grant Agreement</u>.

These documents provide clarifications and answers to questions you may have when preparing your application:

- the <u>Call Document</u> outlines the:
 - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)
 - timetable and available budget (sections 3 and 4)
 - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
 - criteria for financial and operational capacity and exclusion (section 7)
 - evaluation and award procedure (section 8)
 - award criteria (section 9)
 - legal and financial set-up of the Grant Agreements (section 10)
 - how to submit an application (section 11)
- the <u>Online Manual</u> outlines the:
 - procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
 - recommendations for the preparation of the application
- the <u>AGA Annotated Grant Agreement</u> contains:
 - detailed annotations on all the provisions in the Grant Agreement you will have to sign in order to obtain the grant (*including cost eligibility*, *payment schedule*, accessory obligations, etc).

1. Background

Regulation (EU) 2021/1153 of the European Parliament and of the Council establishing the Connecting Europe Facility (CEF Regulation) supports infrastructure and connectivity in Europe across the three sectors of transport, energy and digital. For the funding period 2021-2027, a new category of eligible projects features in the energy part of the revised CEF programme - cross-border projects in the field of renewable energy (from now onwards referred to as CB RES projects) as defined in Article 7 of the CEF Regulation. The support for renewable energy under the revised CEF programme is to be seen in the context of the increased ambition as per the Climate Target Plan⁵ and of the strategies on Solar energy⁶, Offshore renewable energy⁷, on Energy system integration⁸ and hydrogen⁹. Moreover, the REPowerEU¹⁰ sets new actions to increase the resilience of the EU-wide energy

COM/2020/299 final
 COM/2020/301 final

⁵ COM/2020/562 final

⁶ COM/2022/221 final

 ⁷ COM/2020/741 final
 ⁸ COM/2020/299 final

 ⁹ COM/2020/301 final
 ¹⁰ COM/2022/230 final

system in order to phase out our dependency on fossil fuels from Russia well before 2030.

The window for renewable energy within CEF (= 15 % earmarking under CEF Energy, i.e. 875 million \in in current prices, subject to market uptake) responds to a renewed focus on regional and cross-border cooperation in the deployment of renewable energy in the Clean Energy Package. The Renewable Energy Directive¹¹ states that the Commission shall support Member States' ambition level in the field of renewables through an enabling framework, including the use of EU funds, for the purpose of enhancing regional cooperation between Member States and between Member States and third countries. The window for renewable energy within CEF is part of this enabling framework, alongside the Union Renewable Development Platform and the EU renewable energy financing mechanism.

Cooperation on the deployment of renewables allows for a more cost-effective upscaling by using the locations with the best potential, pooling resources and through joint renewable generation planning. Cooperation can contribute to further alignment of renewable energy policies, supports the ongoing work in regional energy forums (including the North Seas Energy Cooperation – NESC, the Baltic Energy Market Interconnection Plan – BEMIP, the Central and South-Eastern Europe Energy Connectivity – CESEC, Interconnections for South-West Europe and the Pentalateral Forum) and reinforces the EU's technology leadership in the field of renewables. Furthermore, CB RES projects should contribute to decarbonisation, completing the internal energy market and enhancing security of supply.

The window for renewable energy within CEF complements other EU funding opportunities for renewable energy. Renewable investments feature prominently in the Regulation (EU) 2021/241 establishing the Recovery and Resilience Facility¹² (RRF) setting out the common objective of funding 40 % of the additional 500 GW capacity needed by 2030 as part of the POWER Up flagship¹³. The combination of financing from the market, Member States, the RRF, CEF, InvestEU programme¹⁴ and other EU programmes should ensure the necessary large-scale deployment of renewables to reach the renewable energy target in 2030 and putting the EU on track for carbon neutrality by 2050. The speed of deployment of renewable energy will need to double over the next decade. The upscaling of renewable electricity needs to keep pace with the electrification of energy-using sectors and an expected doubling of the share of electricity in final energy demand by 2050¹⁵. The CEF window for renewable energy can support mainstreaming of renewable energy in energy-using sectors, facilitate sector integration (including as part of CEF synergy projects) and hence make an important contribution to the clean energy transition.

All investments in generation assets based on any of the renewable sources listed in the Article 2(1) of the Renewable Energy Directive are eligible as CB RES projects can relate to, inter alia, electricity, heating & cooling and transport sector investments, also when they are integrated in and framing broader investment projects (e.g. renewable hydrogen project). A CB RES project can also combine different renewable energy technologies.

The CEF Regulation defines the scope of the CB RES projects under art 7.

¹¹ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, OJ L 328, 21.12.2018, p. 82–209, amended Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023.

¹² Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility,OJ L 57, 18.2.2021, p. 17–75.

¹³ COM/2020/575 final

¹⁴ Investeu.europa.eu

¹⁵ COM/2018/773 final

Annex part IV of the CEF Regulation further define the objectives of the CB RES projects and the general criteria for the selection.

Commission Delegated Regulation 2022/342 (CB RES Delegated Regulation) further defines, inter alia, the components that can be part of a CB RES project. Notably, it is clarified under article 3 that in addition to the generation of renewable energy, the CB RES projects may include additional technologies, components and investments, provided that they meet the selection criteria listed under Article 3 of the Delegated Regulation 2022/342

The CB RES projects must be framed under a cooperation mechanism in accordance with Articles 9 to 13 of the Renewable Energy Directive and may, but do not necessarily have to have a physical link to all the participating Member States. The cooperation mechanisms can be about an exchange of renewables statistics against a payment (statistical transfer) or relate to an entire support scheme with various projects (joint support scheme), in addition to the option of working together on a specific project (joint project). Joint projects between MS and third countries can be also envisaged as per Article 11 of the Renewable Energy Directive, however the requirements of that provision shall be met, including on the physical flow of electricity to a Member State in the EU.

The list of CB RES status projects eligible for funding under this call for proposals has been adopted by the Commission Delegated Regulation (EU) 2023/2639.

2. Objectives — Themes and priorities — Activities that can be funded — Expected impact

Objectives (expected outcome)

Based on the provisions of Article 7 and Annex Part IV of CEF Regulation, CB RES projects shall promote cross-border cooperation between Member States in the field of planning, development and the cost-effective exploitation of renewable energy sources, as well as facilitate their integration through energy storage facilities and with the aim of contributing to the Union's long term decarbonisation strategy, completing the internal energy market and enhancing the security of supply.

Both topics under this call aim to support and contribute to the implementation of CB RES projects included in the Commission Delegated Regulation (EU) 2023/2639.

Themes and priorities (scope)

Both topics under this call aim to enable CB RES projects which have significant socioeconomic benefits to be implemented, within the framework of the renewable energy sector and in particular to support cross-border cooperation in the field of renewable energy. In particular, the financial assistance under this call for proposals shall contribute to supporting CB RES projects that do not receive adequate financing from the market and should maximise its added value towards uptake of renewable energy investments.

The objective of studies and works is to support and contribute to the implementation of CB RES projects.

It is considered that the EU added value of an action related to a CB RES project is demonstrated by the CB RES status itself.

Activities that can be funded (scope)

CEF-E-2023-CBRENEW – STUDIES

This topic refers to projects for studies contributing to the implementation of a CB RES project. Studies (article 2 of CEF Regulation) in the meaning of CEF Energy include activities needed to prepare cross-border RES project implementation, such as preparatory, mapping, feasibility, evaluation, testing and validation studies, including in the form of software, and any other technical support measure, including prior action to define and develop a cross-border RES project and decide on its financing, such as exploration of the sites concerned and preparation of the financial package. A study could cover in-depth investigation and exploration of the risk factors of a project e.g. safety, technical, environmental, regulatory, economic or legal issues to determine whether and how the project should be implemented.

While CEF Energy does not finance technological development, in justified cases, studies can include also pilot projects, such as pilot plants, that are eventually needed to test technologies that are at TRL 7-8, innovative processes or techniques. Such pilot projects should be strictly related to eligible components of the CB RES project.

For more mature projects, a study may have the objective to move the project through the development stage to a Final Investment Decision (FID) and may include Front End Engineering and Design (FEED) studies, technical design studies, geophysical surveys, seabed surveys, tasks related to territorial planning, environmental assessments and comparable studies as applicable. Activities may also include stakeholder engagement and procurement for the construction phase.

A study could also be used to set out in detail the operational aspects of a cooperation, such as the precise legal set up of the financing arrangement e.g. the cross-border tender or the regulatory set up of the cooperation project, or the arrangement on the allocation of costs and benefits between the participating counties.

Only projects contributing to CB RES projects as identified in the Commission Delegated Regulation (EU) 2023/2639 shall be eligible for support through EU financial aid in the form of grants.

While the focus of the study should be related to the energy generation component of the project, in the case of projects with additional (non-RES generation) elements such as grid infrastructure, storage facilities, conversion of the renewable electricity, studies may also choose to cover those elements as well as the interplay between the different elements and cover the complete project set-up, if it is justified by the applicants that the effectiveness of the study will be higher when it captures the project set-up as a whole.

CEF-E-2023-CBRENEW – WORKS

This topic refers to works projects contributing to the implementation of a CB RES project. Works in the meaning of CEF Energy include the purchase, supply and deployment of components, systems and services including software, the development, construction and installation activities relating to a CB RES project, the acceptance of installations and the launching of a CB RES project.

Applications related to construction works must comply with the specific conditions laid down in the CEF regulation for this project category. In particular, specific conditions relate to, inter alia, the existence of significant cost savings and/or benefits in terms of system integration, environmental sustainability, security of supply and innovation, as well as the commercial non-viability of the envisaged investments.

Only projects contributing to CB RES projects as identified in the Commission Delegated Regulation (EU) 2023/2639 shall be eligible for support through EU financial aid in the form of grants.

Works proposals **related to project components that are covered by Article 3** of the delegated regulation are eligible.

For each of the CB RES projects, the list of components that are **included in the CB RES status** can be found in the technical documentation¹⁶ supporting the Delegated Regulation that establishes the CB RES list.

All other things being equal, proposals for works which relate to renewables generation components will be given priority over proposals which relate to non-RES components through the award criterion 'Priority and urgency' (see section 9).

If a proposal for works contains a non-RES component, then it has to justify the necessity of this component to the overall CB RES project implementation and prove that the component is essential for the renewable energy generation.

CEF-E-2023-CBRENEW – STUDIES and CEF-E-2023-CBRENEW – WORKS

Under both topics, only projects in conformity with EU law and which are in line with the relevant EU policies shall be financed, in particular those relating to competition, protection of the environment, state aid and public procurement.

In line with Article 11 of the CEF Regulation, to be eligible, proposals shall either be submitted by one or more Member States or have the agreement of the Member States concerned as expressed through the letter of support. The letter of support shall be signed by the ministries of the participating Member States in charge of implementing the cooperation agreement for the underlying CB RES project.

Clarification about the letter of support:

If the competent authority is at a regional level, the letter of support can be signed by the regional authority; the latter shall provide evidence of the agreement with the national authority of the concerned Member State.

Expected impact (expected results)

This call for proposals aims at financing projects contributing to the goals and objectives of the European Green Deal, as well as the Paris Agreement and the 2030 climate and energy targets and the EU's objectives for climate neutrality, in accordance with recitals 5 and 30 of the CEF Regulation and in line with the Multi-annual Work Programme.

It is expected that the financial assistance contributes to the development and the implementation of CB RES projects, leading to cost-effective achievement of renewables target by 2030 in the EU (as referred to in Article 3 of Directive 2018/2001/EC) and to the strategic uptake of renewables technologies. Cross-border RES projects are an integral element of the enabling framework for regional and cross-border cooperation on renewables and facilitate cross border cooperation in the field of energy (as referred to in Article 3 of the CEF Regulation).

3. Available budget

The available call budget is **EUR 50 000 000**.

¹⁶ <u>Technical documentation on CB RES status 2023, supplementing the Delegated Regulation</u> (EU/2023/2639) (europa.eu)

We reserve the right not to award all available funds or to redistribute them between the call topics, depending on the proposals received and the results of the evaluation.

4. Timetable and deadlines

Timetable and deadlines (indicative)						
Call opening:	19 December 2023					
Deadline for submission:	<u>06 February 2024 – 17:00:00 CET</u> (Brussels)					
Evaluation:	February-April 2024					
Information on evaluation results:	May-June 2024					
GA signature:	September 2024 (at the latest)					

5. Admissibility and documents

Proposals must be submitted before the **call deadline** (see timetable section 4).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the <u>Search Funding &</u> <u>Tenders</u> section). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System (1 NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (to be filled in directly online)
- Application Form Part B contains the technical description of the project (to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded)
- mandatory annexes and supporting documents (to be uploaded):
 - Detailed budget table per WP/calculator (template available in the Submission System)
 - CVs of core project team: not applicable
 - Activity reports of last year (unless exempted from operational capacity check; see section 7)

- List of previous projects (key projects for the last 4 years) (template available in Part B)
- Timetable/Gantt chart
- Agreement by the concerned Member States (Letter of support)
- Environmental compliance file (template available in the Submission System)
- (For works only) Cost benefit analysis (CBA) pursuant to Article 7 of CEF regulation): CBA report and CBA tool
- (For works only) Business plan and other assessments showing that the project is commercially non-viable (the business plan could be complemented with a separate financial spreadsheet template provided)
- (For works only): Latest version of the signed Cooperation Agreement in force, on which the CB RES project is based.

Please note that the amounts entered into the summarised budget table (filled in directly online) must correspond to the amounts calculated in the detailed budget table. In case of discrepancies, the amounts in the online summarised budget table will prevail.

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover, you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, exclusion, etc.). Before signing the grant, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be **readable**, **accessible and printable**.

Proposals are limited to maximum **120 pages** (Part B). Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (for legal entity validation, financial capacity check, bank account validation, etc.).

For more information about the submission process (including IT aspects), consult the <u>Online Manual</u>.

6. Eligibility

Eligible participants (eligible countries)

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

- be legal entities (public or private bodies)
- be established in one of the eligible countries, i.e.:
 - EU Member States (including overseas countries and territories (OCTs))
 - countries associated to the CEF Programme or countries which are in ongoing negotiations for an association agreement and where the agreement enters into force before grant signature (<u>list of participating</u> <u>countries</u>)

Only projects having received a cross-border renewable energy status (CB RES status) based on a previous CB RES status call¹⁷ are eligible to submit a proposal under this call.

The list of CB RES status projects is included in the Commission Delegated Regulation (EU) 2023/2639¹⁸ and it can also be found in the CB RES transparency platform¹⁹.

Beneficiaries and affiliated entities must register in the <u>Participant Register</u> — before submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status and origin.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc. (see section 13).

Specific cases

Exceptional funding — Entities from other countries (not listed above) are exceptionally eligible for projects of common interest in the field of transport, energy and digital and for cross-border projects in the field of renewable energy, if the granting authority considers their participation essential for the implementation of the action.

Natural persons — Natural persons are NOT eligible (with the exception of selfemployed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person).

International organisations — International organisations are eligible. The rules on eligible countries do not apply to them.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons²⁰.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) can NOT be part of the consortium.

Countries currently negotiating association agreements — Beneficiaries from countries with ongoing negotiations (see above) may participate in the call and can sign grants if the negotiations are concluded before grant signature (with retroactive effect, if provided in the agreement).

EU restrictive measures — Special rules apply for certain entities (*e.g. entities subject* to <u>EU restrictive measures</u> under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)²¹ and entities covered by Commission Guidelines No <u>2013/C 205/05²²</u>). Such entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

¹⁷ <u>https://cinea.ec.europa.eu/yearly-calls-cb-res-status_en</u>

¹⁸ http://data.europa.eu/eli/reg_del/2023/2639/oj

¹⁹ https://ec.europa.eu/energy/renewable-energy/transparency_platform/map-viewer/main.html

²⁰ See Article 197(2)(c) EU Financial Regulation <u>2018/1046</u>.

²¹ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the <u>EU Sanctions Map</u>.

²² Commission guidelines No 2013/C 205/05 on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJEU C 205 of 19.07.2013, pp. 9-11).

For more information, *see <u>Rules for Legal Entity Validation, LEAR Appointment</u> <u>and Financial Capacity Assessment</u>.*

Consortium composition

n/a

Eligible activities

Eligible activities are the ones set out in section 2 above.

Projects should take into account the results of projects supported by other EU funding programmes. The complementarities must be described in the project proposals (Part B of the Application Form).

Projects must comply with EU policy interests and priorities (such as environment, social, security, industrial and trade policy, etc.).

Financial support to third parties is not allowed.

Geographic location (target countries)

Proposals must relate to activities taking place in the eligible countries (see above).

7. Financial and operational capacity and exclusion

Financial capacity

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents you will be requested to upload in the <u>Participant Register</u> during grant preparation (*e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc).* The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all beneficiaries, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations
- Transmission System Operators certified under Articles 10 or 11 of Directive 2009/72/EC, or Articles 10 or 11 of Directive 2009/73/EC
- if the individual requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that your financial capacity is not satisfactory, we may require:

- further information
- an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (see below, section 10)

- prefinancing paid in instalments
- (one or more) prefinancing guarantees (see below, section 10)

or

- propose no prefinancing
- request that you are replaced or, if needed, reject the entire proposal.

For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment</u> and Financial Capacity Assessment.

Operational capacity

Applicants must have the **know-how**, **qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed together with the 'Quality' award criterion, on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

If the evaluation of the award criterion is positive, the applicants are considered to have sufficient operational capacity.

Applicants will have to show their capacity via the following information:

- description of the consortium participants
- applicants' activity reports of last year
- list of previous projects (key projects for the last 4 years).

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

Public bodies, Member State organisations, transmission system operators certified under Directives 2009/72 or 2009/73 and international organisations are exempted from the operational capacity check.

Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate²³:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct²⁴ (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)

²³ See Articles 136 and 141 of EU Financial Regulation <u>2018/1046</u>.

²⁴ Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to

- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision making- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No 2988/95 (including if done by persons having powers of representation, decision making- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- created under a different jurisdiction with the intent to circumvent fiscal, social or other legal obligations in the country of origin or created another entity with this purpose (including if done by persons having powers of representation, decision making- or control, beneficial owners or persons who are essential for the award/implementation of the grant).

Applicants will also be refused if it turns out that²⁵:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

8. Evaluation and award procedure

The proposals will have to follow the **standard submission and evaluation procedure** (one-stage submission + one-step evaluation).

An **evaluation committee** will assess all applications. Proposals will first be checked for formal requirements (admissibility, and eligibility, *see sections 5 and 6*). Proposals found admissible and eligible will be evaluated against the operational capacity and award criteria (3 phases: individual evaluation, consensus phase and panel review) and then ranked according to their scores (*see sections 7 and 9*).

For proposals with the same score a **priority order** will be determined according to the following approach:

- 1. Score obtained under the 'Priority and urgency' criterion
- 2. Score obtained under the 'Maturity' criterion
- 3. Score obtained under the 'Catalytic effect' criterion
- 4. Score obtained under the 'Impact' criterion
- 5. Score obtained under the 'Quality' criterion.

influence decision-making processes or obtain confidential information from public authorities to gain advantage.

²⁵ See Article 141 EU Financial Regulation <u>2018/1046</u>.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; the other ones will be put on the reserve list or rejected.

▲ No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: *legal entity validation, financial capacity, exclusion check, etc.*

Grant preparation will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are considered to have been accessed and that deadlines will be counted from opening/access (*see also <u>Funding & Tenders Portal Terms and Conditions</u>). Please also be aware that for complaints submitted electronically, there may be character limitations.*

9. Award criteria

The **award criteria** for this call are as follows:

- Priority and urgency: evaluating correspondence of the proposal with the sectoral policy targets, objectives and priorities, notably its contribution to and alignment with achieving the EU 2030 climate and energy targets in view of reaching the climate neutrality objective by 2050 as set out in the European Green Deal, market integration, and where applicable assessing the possible synergies with other sectors. (5 points)
- Maturity: assessing the maturity of the project as a next logical step in the CB RES project development. The criterion will measure, among others: the readiness/ability of the project to start by the proposed start date and to complete by the proposed end date, the status of the contracting procedures and of the necessary permits, and information on the financial availability needed to complement the CEF investment. (5 points)
- Quality: evaluating the soundness of the implementation plan proposed, both from the technical and financial point of view, the architecture and design approach, the organisational structures put in place (or foreseen) for the implementation, the risk analysis, the control procedures and quality management. (5 points)
- Impact: assessing the need to overcome financial obstacles such as those generated by insufficient commercial viability, high upfront costs or the lack of market finance. Moreover, when applicable, the criterion will assess its crossborder dimension.

In addition, for works, assessing, the economic, social and environmental impact, including the climate impact; assessing the existence of significant cost savings or benefits, or both, in terms of system integration, environmental sustainability, security of supply or innovation. (5 points)

NB: A proposal requesting grants for works needs to demonstrate significant cost savings or benefits, or both, in line with article 7.4(a) of the CEF regulation in order to reach the minimum pass score of 3.

 Catalytic effect: evaluating the financial gap, the capacity to mobilise differentiated investments sources, the capacity to trigger important overall investments with limited EU support. This criterion shall assess the catalytic effect and the justification of the EU financial assistance and determine whenever possible the actual co-funding rate to be granted. (5 points)

Award criteria	Minimum pass score	Maximum score
Priority and urgency	3	5
Maturity	3	5
Quality	3	5
Impact	3	5
Catalytic effect	3	5
Overall (pass) scores	15	25

Maximum points: 25 points.

Individual thresholds per criterion: 3/5, 3/5, 3/5, 3/5 and 3/5 points.

Overall threshold: 15 points.

Proposals that pass the individual thresholds AND the overall threshold will be considered for funding — within the limits of the available budget (i.e. up to the budget ceiling). Other proposals will be rejected.

10. Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and guidance documents) can be found on <u>Portal Reference Documents</u>.

Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement (*Data Sheet, point 1*). Normally the starting date will be after grant signature. A retroactive starting date can be granted exceptionally for duly justified reasons but never earlier than the proposal submission date.

Project duration: up to 31.12.2028 (extensions are possible, if duly justified and through an amendment).

Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

Form of grant, funding rate and maximum grant amount

The grant parameters (*maximum grant amount, funding rate, total eligible costs, etc*) will be fixed in the Grant Agreement (*Data Sheet, point 3 and art 5*).

Project budget (maximum grant amount): projects of any budget are admitted. The grant awarded may be lower than the amount requested.

The grant will be a budget-based mixed actual cost grant (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and costs that were *actually* incurred for your project (NOT the *budgeted* costs). For unit costs and flat rates, you can charge the amounts calculated as explained in the Grant Agreement (*see art 6 and Annex 2 and 2a*).

The costs will be reimbursed at the funding rates fixed in the Grant Agreement (maximum 50% for the costs of studies and works, maximum 70% for the costs of works in outermost regions).

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs). For-profit organisations must declare their revenues and, if there is a profit, we will deduct it from the final grant amount (*see art 22.3*).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (e.g. improper implementation, breach of obligations, etc).

Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (Data Sheet, point 3, art 6 and Annex 2).

Please be aware that project management costs (including related tasks, such as consortium-internal progress meetings, project reporting etc) should not exceed 10% of total costs for the project. Costs exceeding this limit will be rejected during grant preparation.

Budget categories for this call:

- A. Personnel costs
 - A.1 Employees, A.2 Natural persons under direct contract, A.3 Seconded persons
 - A.4 SME owners and natural person beneficiaries
- B. Subcontracting costs
- C. Purchase costs
 - C.1 Travel and subsistence
 - C.2 Equipment
 - C.3 Other goods, works and services
- D. Other cost categories
 - D.1 Financial support to third parties
 - D.3 Synergetic elements

- D.4 Works in outermost regions
- E. Indirect costs

Specific cost eligibility conditions for this call:

- personnel costs:
 - average personnel costs (unit cost according to usual cost accounting practices): Yes
 - SME owner/natural person unit cost²⁶ : Yes
- subcontracting costs:
 - country restrictions for subcontracting costs: Yes, subcontracted work must be performed in the eligible countries or target countries
- travel and subsistence unit cost²⁷: No (only actual costs)
- equipment costs: full cost
- other cost categories:
 - costs for financial support to third parties: not allowed
 - studies: No
 - synergetic elements: Yes
 - works in outermost regions: Yes
 - land purchases: No
- indirect cost flat-rate: 0% of the eligible direct costs (categories A-D, except volunteers costs and exempted specific cost categories, if any)
- VAT: VAT is NOT eligible
- other:
 - in-kind contributions for free are allowed, but cost-neutral, i.e. they cannot be declared as cost
 - project websites: communication costs for presenting the project on the participants' websites or social media accounts are eligible; costs for separate project websites are not eligible
 - eligible cost country restrictions: Yes, subcontracted work must be performed in the eligible countries or target countries
 - other ineligible costs: Yes, costs related to purchase of land

Please be aware that in case of significant changes to the circumstances that have an impact on the project budget, you may be asked to request an amendment to reduce the maximum grant amount. If you do not comply with this request, we may have to terminate the grant and reduce it from our side (see art 32).

²⁶ Commission <u>Decision</u> of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

²⁷ Commission <u>Decision</u> of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

Similarly, you may be asked to request an amendment to reduce the maximum grant amount, if your project encounters major delays during the project implementation. If you do not comply with this request, we may have to terminate the grant (see art 32).

Reporting and payment arrangements

The reporting and payment arrangements are fixed in the Grant Agreement (*Data Sheet, point 4 and art 21 and 22*).

After grant signature, you will normally receive a **prefinancing** to start working on the project. The amount will be established based on the grant type or estimated project duration at the time of grant signature and will vary between 25% and 50%. The prefinancing will be paid 30 days from entry into force/financial guarantee (if required — whichever is the latest.

There will be one or more **interim payments** (with detailed cost reporting).

In addition, you may be asked to submit one or more progress reports not linked to payments.

Payment of the balance: At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us — in line with the conditions set out in the Grant Agreement (see art 22).

Please also note that you are responsible for keeping records on all the work done and the costs declared.

Prefinancing guarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (*Data Sheet, point 4*). The amount will be set during grant preparation and it will normally be equal or lower than the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are formally NOT linked to individual consortium members, which means that you are free to organise how to provide the guarantee amount (by one or several beneficiaries, for the overall amount or several guarantees for partial amounts, by the beneficiary concerned or by another beneficiary, etc). It is however important that the requested amount is covered and that the guarantee(s) are sent to us in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement.

Certificates

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the Grant Agreement (*Data Sheet, point 4 and art 24*).

Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (*Data Sheet point 4.4 and art 22*).

For beneficiaries, it is one of the following:

- limited joint and several liability with individual ceilings each beneficiary up to their maximum grant amount
- unconditional joint and several liability *each beneficiary up to the maximum grant amount for the action*

or

- individual financial responsibility - each beneficiary only for their own debts.

In addition, the granting authority may require joint and several liability of affiliated entities (with their beneficiary).

Provisions concerning the project implementation

Security rules: see Model Grant Agreement (art 13 and Annex 5)

IPR rules: see Model Grant Agreement (art 16 and Annex 5):

- rights of use on results: Yes

Communication, dissemination and visibility of funding: see Model Grant Agreement (art 17 and Annex 5):

- communication and dissemination plan: No
- additional communication and dissemination activities: Yes
- special logos: No

Specific rules for carrying out the action: see Model Grant Agreement (art 18 and Annex 5):

- Member State information: Yes
- specific rules for digital infrastructure projects: No
- specific rules for ATM common projects: No
- durability: Yes
- specific rules for blending operations: No

Other specificities

n/a

Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).

U For more information, see <u>AGA — Annotated Grant Agreement</u>.

11. How to submit an application

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a **2-step process**:

a) create a user account and register your organisation

To use the Submission System (the only way to apply), all participants need to <u>create</u> an EU Login user account.

Once you have an EULogin account, you can <u>register your organisation</u> in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

b) submit the proposal

Access the Electronic Submission System via the Topic page in the <u>Search Funding &</u> <u>Tenders</u> section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 3 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online
- Part B (description of the action) covers the technical content of the proposal.
 Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file
- Annexes (see section 5). Upload them as PDF file (single or multiple depending on the slots). Excel upload is sometimes possible, depending on the file type.

The proposal must keep to the **page limits** (see section 5); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (*see section 4*). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a **confirmation e-mail** (with date and time of your application). If you do not receive this confirmation e-mail, it means

your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the <u>IT Helpdesk</u> <u>webform</u>, explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the <u>Online Manual</u>. The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

12. Help

As far as possible, *please try to find the answers you need yourself*, in this and the other documentation (we have limited resources for handling direct enquiries):

- Online Manual
- FAQs on the call page (for call-specific questions in open calls; not applicable for actions by invitation)
- Portal FAQ (for general questions)
- call information on the <u>CINEA website</u>.

Please also consult the Topic page regularly, since we will use it to publish call updates.

Contact

For individual questions on the Portal Submission System, please contact the \underline{IT} <u>Helpdesk</u>.

Non-IT related questions should be sent to the following email address: <u>CINEA-CEF-ENERGY-CALLS@ec.europa.eu</u>. Questions received after 16 February 2023 will not be answered.

Please indicate clearly the reference of the call and topic to which your question relates (see cover page).

13. Important

L IMPORTANT

- Don't wait until the end Complete your application sufficiently in advance of the deadline to avoid any last minute technical problems. Problems due to last minute submissions (e.g. congestion, etc.) will be entirely at your risk. Call deadlines can NOT be extended.
- **Consult** the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- Funding & Tenders Portal Electronic Exchange System By submitting the application, all participants accept to use the electronic exchange system in accordance with the <u>Portal Terms & Conditions</u>.
- **Registration** Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the <u>Participant Register</u>. The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- **Consortium roles** When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.

The roles should be attributed according to the level of participation in the project. Main participants should participate as **beneficiaries** or **affiliated entities**; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. **Associated partners** and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding).

- **Coordinator** In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- Affiliated entities Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- **Associated partners** Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- **Consortium agreement** For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes

- **Balanced project budget** Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (*e.g.* own contributions, income generated by the action, financial contributions from third parties, etc). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **No-profit rule** Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- **No double funding** There is a strict prohibition of double funding from the EU budget (except under EU Synergies actions). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances declared to two different EU actions.
- Completed/ongoing projects Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before the project starting date/proposal submission).
- **Combination with EU operating grants** Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see <u>AGA</u> <u>Annotated Model Grant Agreement, art 6.2.E</u>).
- **Multiple proposals** Applicants may submit more than one proposal for *different* projects under the same call (and be awarded a funding for them).

Organisations may participate in several proposals.

BUT: if there are several proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw one of them (or it will be rejected).

- **Resubmission** Proposals may be changed and re-submitted until the deadline for submission.
- **Rejection** By submitting the application, all applicants accept the call conditions set out in this this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be **rejected**. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- **Language** You can submit your proposal in any official EU language (project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, *see section 12*).

• **Transparency** — In accordance with Article 38 of the <u>EU Financial Regulation</u>, information about EU grants awarded is published each year on the <u>Europa website</u>.

This includes:

- o beneficiary names
- o beneficiary addresses
- the purpose for which the grant was awarded
- the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

• **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the <u>Funding & Tenders Portal Privacy Statement</u>.