



Just Transition Mechanism (JTM)

Call for proposals

Public Sector Loan Facility JTM-2022-2025-PSLF

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EUROPEAN CLIMATE, INFRASTRUCTURE AND ENVIRONMENT EXECUTIVE AGENCY (CINEA)

CINEA.B – Sustainable networks and investments
CINEA.B.2 – CEF Transport: Central and South East Europe + ATM and JTM

HISTORY OF CHANGES				
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1.0	19.07.2022	Initial version (new MFF)		
2.0	02.06.2023	Modification of sentence on the retroactive application under "starting date and project duration"	20	
3.0	25.09.2023	 Modification of link "list of envelopes" under "available budget" with updated amounts linked to national shares Modified amount of loans requested through EIB financial intermediaries 	9, 14	
4.0	12.02.2024	Eligibility linked to the consumption of national shares	14	

CALL FOR PROPOSALS

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0. Introduction

This is a call for proposals for EU **action grants** in the field of the just transition towards a climate neutral economy under the Public Sector Loan Facility (PSLF) of the **Just Transition Mechanism (JTM)**.

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

- Regulation 2018/1046 (<u>EU Financial Regulation</u>)
- the basic act (JTM PSLF Regulation 2021/12291).

The call is launched in accordance with the 2021-2025 Work Programme² and will be managed by the **European Climate, Infrastructure and Environment Executive Agency (CINEA)** ('Agency').

The call covers the following **topics**:

- JTM-2022-2025-PSLF-STANDALONE PROJECTS Standalone projects
- JTM-2022-2025-PSLF-FRAMEWORK LOANS Framework Loans

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.

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 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:

Regulation (EU) 2021/1229 of the European Parliament and of the Council of 14 July 2021 on the on the public sector loan facility under the Just Transition Mechanism (OJ L 274/1)

² Commission Implementing Decision C(2022)4048 final of 17.06.2022 on the financing of the public sector loan facility and the adoption of the multiannual work programme for the period 2021-2025.

- 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).

You are also encouraged to visit the <u>CINEA webpage on Just Transition Mechanism</u> to consult the list of projects funded previously.

1. Background

The Just Transition Mechanism (JTM) is part of the European Green Deal Investment Plan, to make sure that no one and no region is left behind in the transition to a climate-neutral economy. It provides support to the most negatively affected regions, and helps them to alleviate the socio-economic costs of the transition.

The third pillar of this Mechanism is a blending facility called Public Sector Loan Facility (JTM PSLF).

This facility aims to address serious social, economic and environmental challenges deriving from the transition towards the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest as set out in the European Climate Law Regulation $2021/1119^3$, for the benefit of the EU territories identified in the Territorial Just Transition Plans established in accordance with Article 11 of Regulation $2021/1056^4$.

In this context, the PSLF intends to increase public sector investments which address the development needs of the territories identified in the Territorial Just Transition Plans, by facilitating the financing of projects that do not generate sufficient streams of revenues to cover their investment costs.

Applicants will receive blended support in the form of:

- a grant provided by CINEA (covered by this call)
- a loan provided by the <u>European Investment Bank (EIB)</u> (or one of its <u>financial intermediaries</u>), to be applied for separately to the EIB/financial intermediary and, if granted, managed as a linked action to the grant.

The grant component will be given in the format of a fixed lump sum of 15% of the loan component (or 25% if the project is located in a less developed region within the

Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund (OJ L 231) establishing the Just Transition Fund (OJ L 231, 30.6.2021, p. 1).

meaning of Article 108(2) of the CPR Regulation $\underline{2021/1060}^5$ and Decision $\underline{2021/1130}^6$).

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

JTM-2022-2025-PSLF STANDALONE PROJECTS

Objectives

This topic targets projects addressing serious social, economic and environmental challenges deriving from the transition towards the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest, for the benefit of the EU territories identified in the Territorial Just Transition Plans.

⚠ The projects must also qualify for a loan by the EIB (or one of its financial intermediaries).

Activities that can be funded (scope)

Projects related to a wide range of sustainable investments may be funded, such as:

- investments in renewable energy and green and sustainable mobility, including the promotion of green hydrogen
- efficient district heating networks
- public research
- digitalisation
- environmental infrastructure for smart waste and water management
- sustainable energy, energy efficiency and integration measures, including renovations and conversions of buildings
- urban renewal and regeneration
- the transition to a circular economy
- land and ecosystem restoration and decontamination, taking into account the 'polluter pays' principle
- biodiversity, as well as
- up-skilling and re-skilling, training, and
- social infrastructure, including care facilities and social housing.

Infrastructure development may also include cross-border projects and solutions leading to enhanced resilience to withstand ecological disasters, in particular those

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Commission Implementing Decision (EU) 2021/1130 of 5 July 2021 setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund Plus and of Member States eligible for funding from the Cohesion Fund for the period 2021-2027 (OJ L 244, 9.7.2021, p. 10).

accentuated by climate change. A comprehensive investment approach should be favoured, in particular for territories with important transition needs.

Investments in other sectors may also be supported, if they are consistent with the approved Territorial Just Transition Plans.

The following sectors are clearly excluded from the scope of the JTM PSLF support:

- decommissioning or the construction of nuclear power stations
- manufacturing, processing and marketing of tobacco and tobacco products
- help to undertakings in difficulty, as defined in point (18) of Article 2 of Commission Regulation (EU) No 651/2014 (18), unless authorised under temporary State aid rules established to address exceptional circumstances or under de minimis aid to support investments reducing energy costs in the context of the energy transition process
- investments related to the production, processing, transport, distribution, storage or combustion of fossil fuel.

The project activities must benefit a territory covered by an approved <u>Territorial Just Transition Plan</u> and must be consistent with this Plan and the sectors and thematic areas it sets out.

Expected impact

Proposals should include indicators evidencing that the project will achieve a measurable impact in addressing serious social, economic and environmental challenges deriving from the transition towards the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest.

JTM-2022-2025-PSLF-FRAMEWORK LOANS

Objectives

This topic targets projects linked to a framework loan to address serious social, economic and environmental challenges deriving from the transition towards the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest, for the benefit of the EU territories identified in the Territorial Just Transition Plans.

The projects must be linked to an EIB framework loan. Framework loans by other banks or EIB financial intermediaries (including EIB Intermediated Framework Loans or Multi-Beneficiary Intermediated Loans) cannot benefit from JTM funding under this topic.

Activities that can be funded (scope)

Projects related to a wide range of sustainable investments may be funded, such as:

- investments in renewable energy and green and sustainable mobility, including the promotion of green hydrogen
- efficient district heating networks
- public research
- digitalisation
- environmental infrastructure for smart waste and water management

- sustainable energy, energy efficiency and integration measures, including renovations and conversions of buildings
- urban renewal and regeneration
- the transition to a circular economy
- land and ecosystem restoration and decontamination, taking into account the 'polluter pays' principle
- biodiversity, as well as
- up-skilling and re-skilling, training, and
- social infrastructure, including care facilities and social housing.

Infrastructure development may also include cross-border projects and solutions leading to enhanced resilience to withstand ecological disasters, in particular those accentuated by climate change. A comprehensive investment approach should be favoured, in particular for territories with important transition needs.

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The project activities must benefit a territory covered by an approved Territorial Just Transition Plan and must be consistent with this Plan and the sectors and thematic areas it sets out.

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Proposals should include indicators evidencing that the project will achieve a measurable impact in addressing serious social, economic and environmental challenges deriving from the transition towards the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest.

For more information about the EIB lending policy, see Regional development & cohesion (eib.org).

3. Available budget

The available call budget is **EUR 1 459 500 000** for the four-year period of the call.

The call budget will be implemented through multi-annual national envelopes per country which will be consumed over time by the projects funded (for updated information on the amounts not yet consumed, see the <u>list of envelopes</u>).

We reserve the right not to award all available funds depending on the proposals received and the results of the evaluation.

4. Timetable and deadlines

Timetable ar	nd deadlines (indi	cative)			
Call opening:	19 July 2022				
	1st cut-off date	2 nd cut-off date	3 rd cut-off date	4 th cut-off date	5th cut-off date
Deadline for submission:	19 October 2022 17:00 CET (Brussels)	19 January 2023 17:00 CET (Brussels)	19 April 2023 17:00 CET (Brussels)	20 September 2023 17:00 CET (Brussels)	17 January 2024 17:00 CET (Brussels)
Evaluation:	October 2022- January 2023	January-April 2023	April 2023-July 2023	September- December 2023	January-April 2024
Information on evaluation results:	January 2023	April 2023	July 2023	December 2023	April 2024
GA signature:	April 2023-June 2024	June 2023- September 2024	October 2023- December 2024	March 2024- April 2025	June 2024- September 2025

	6 th cut-off date	7 th cut-off date	8 th cut-off date	9 th cut-off date	10th cut-off date
Deadline for submission:	17 April 2024 17:00 CET (Brussels)	19 September 2024 17:00 CET (Brussels)	16 January 2025 17:00 CET (Brussels)	15 April 2025 17:00 CET (Brussels)	11 September 2025 17:00 CET (Brussels)
Evaluation:	April 2024-July 2024	September- December 2024	January-April 2025	April 2025-July 2025	September- December 2025
Information on evaluation results:	July 2024	December 2024	April 2025	July 2025	December 2025
GA signature:	October 2024- December 2025	March 2025-April 2026	June 2025- September 2026	October 2025- December 2026	March 2026-April 2027

5. Admissibility and documents

Proposals must be submitted before the **call deadline** (cut-off dates) (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 & 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 (\triangle NOT the documents available on the Topic page — they are only for information).

Project acronym — Please use the following naming convention: 'Year-Cut-Off-Number-Country-Topic-Project' (ex. 2021-1-BE-PROJECT-REI Trainings).

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 (templates available to be downloaded from the Portal Submission System, completed, assembled and re-uploaded):
 - detailed budget table/calculator ('financial information file')
 - CVs (standard) of core project team
 - activity reports of last year (not needed for public bodies)
 - list of previous projects (key projects for the last 4 years) (template available in Part B)
 - simplified business plan
 - for bodies governed by private law: proof of public service mission (entrustment act or other)
 - decarbonisation plan (if available).

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 **100 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).

Please be aware that the applications will be shared with the EIB (and its financial intermediaries, if applicable) and will form part of the assessment in accordance with their rules, lending policies and procedures. You will be required to submit additional documents and information for the loan component. Please ensure swift follow-up, so that both the grant and loan procedures can be concluded without undue delay.

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

6. Eligibility

Eligible participants (eligible countries)

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

 be legal entities (public bodies or private bodies entrusted with a public service mission) established in an EU Member State.

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

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 persons⁷.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) are not eligible.

Associations and interest groupings — Entities composed of members may participate as 'sole beneficiaries' or 'beneficiaries without legal personality'⁸. Please note that if the action will be implemented by the members, they should also participate (either as beneficiaries or as affiliated entities, otherwise they cannot claim part of the grant).

Private bodies entrusted with a public service mission — Private bodies which have been entrusted by a public authority, by legislation or contract, to carry out services of general interest (i.e. services that the Member State considers as being of general interest and therefore subject to a specific public service obligation).

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)⁹ and entities covered by Commission Guidelines No <u>2013/C 205/05</u>¹⁰). Such entities are not eligible

For the definitions, see Articles 187(2) and 197(2)(c) EU Financial Regulation 2018/1046.

See Article 197(2)(c) EU Financial Regulation 2018/1046.

to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

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

Consortium composition

n/a

Eligible activities

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

The following activities are not considered as eligible for funding under this call:

- activities that do not comply with the:
 - 'polluter pays' principle
 - Paris Agreement
 - 'do no significant harm' principle, i.e.
 - lead to significant greenhouse gas (GHG) emissions, or increased adverse impact of the current climate or expected future climate, on the activity itself or on people, nature or assets;
 - are detrimental to the good status or the good ecological potential of bodies of water, including surface water and groundwater, or to the good environmental status of marine waters;
 - lead to significant inefficiencies in the use of materials or in the direct or indirect use of natural resources, or significantly increase the generation, incineration or disposal of waste, or long-term disposal of waste may cause significant and long-term environmental harm
 - lead to a significant increase in emissions of pollutants into air, water or land
 - are significantly detrimental to the good condition and resilience of ecosystems, or detrimental to the conservation status of habitats and species, including those of Union interest.

Projects should take into account the results of projects supported by other EU funding programmes (including the Just Transition Fund). 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).

Please note that the EU Official Journal contains the official list and, in case of conflict, its content

prevails over that of the EU Sanctions Map. Commission guidelines No $\frac{2013}{C}$ $\frac{205}{05}$ 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).

Financial support to third parties is allowed in topic JTM-2022-2025- PSLF-Framework Loans for grants awarded to sets of projects grouped under an EIB framework loan, under the following conditions:

Your project application must clearly describe the framework loan (types of projects targeted, location, budget estimates for projects/types of projects, significance of the grant components, contribution to the relevant Territorial Just Transition Plan, maximum amount of funding (loan and grant components; grant fixed 15 or 25% of the loan), definition of the recipients that may receive the support and criteria for awarding it); specify how the grants will be awarded/distributed (including how the principles of transparency and equal treatment will be applied) and managed (including your role). The proposal must also clearly describe the results to be obtained.

Only third parties may be recipients of financial support (i.e. only entities that are not party to the Grant Agreement). You cannot use this form of support to award funding to yourself. If you intend to also implement your own projects (in addition to giving financial support to third parties), please present your project activities separately (outside the financial support designated for third parties) and define the detailed list of your activities and estimated budget in the proposal.

Geographic location (target countries)

Proposals must relate to activities taking place in the eligible countries (see above) and must benefit a territory covered by an approved Territorial Just Transition Plan.

Please bear in mind that the location of your project will determine the national budget envelope that will apply (see section 3). If the envelope is already exhausted because of previously selected projects, your proposal will not be considered eligible.

Duration

Projects should normally range between 24 and 60 months.

Projects of longer duration may be accepted in duly justified cases. Extensions are possible, if duly justified and through an amendment.

Project budget

Project budgets (maximum grant amount) must be calculated as a percentage of the loan component (15% or 25%, if the project concerns activities in a less developed region within the meaning of Article 108(2) of the CPR Regulation $2021/1060^{11}$ and Decision $2021/1130^{12}$), using the provided calculator, and respecting the following conditions:

for Standalone Projects:

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Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Commission Implementing Decision (EU) 2021/1130 of 5 July 2021 setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund Plus and of Member States eligible for funding from the Cohesion Fund for the period 2021-2027 (OJ L 244, 9.7.2021, p. 10).

- loans requested directly from the EIB should be of at least EUR 12 500 000; the EIB covers usually up to 50% of the total project costs, which should therefore normally be at least EUR 25 000 000
- loans requested through EIB financial intermediaries should be of at least EUR 1 000 000
- for Framework Loans:
 - framework loans requested from the EIB should be of at least EUR 12 500 000; the EIB covers usually up to 50% of the total project costs, which should therefore normally be at least EUR 25 000 000.

The grant awarded may be lower than the amount requested.

Ethics and EU values

Projects must comply with:

- highest ethical standards
- EU values based on Article 2 of the Treaty on the European Union and Article 21 of the EU Charter of Fundamental Rights (in particular, non-discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, gender equality, and accessibility for persons with disabilities) and
- other applicable EU, international and national law.

Projects must be designed in a way to ensure equal treatment and non-discrimination throughout their implementation.

Applicants must show in their application that they respect ethical principles and EU values based on Article 2 of the Treaty on the European Union and Article of the 21 EU Charter of Fundamental Rights.

Projects involving ethics issues may be made subject to specific ethics rules.

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
- 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:

- general profiles (qualifications and experiences) of the staff responsible for managing and implementing the project
- description of the consortium participants
- applicants' activity reports of last year (not needed for public bodies)
- list of previous projects (key projects for the last 4 years) (if any).

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

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 participate¹³:

 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)

See Articles 136 and 141 of EU Financial Regulation 2018/1046.

- 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 misconduct¹⁴ (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
- 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, decisionmaking- 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, decisionmaking- 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,
 decisionmaking- 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 that 15:

- 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 (for each country) against the operational capacity and award criteria (see sections 7 and 9) and then ranked according to their scores.

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

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

¹⁵ See Article 141 EU Financial Regulation 2018/1046.

Successively for every group of *ex aequo* proposals, starting with the highest scored group, and continuing in descending order:

- 1) Projects located in less developed regions within the meaning of Article 108(2) of the CPR Regulation $2021/1060^{16}$ and Decision $2021/1130^{17}$ have the highest priority.
- 2) Projects contributing directly to the achievement of the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest have the second-highest priority
- 3) Projects promoted by applicants that have adopted decarbonisation plans have the third-highest priority.

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.

The proposals invited for grant preparation and those on the reserve list will be notified to the EIB. The EIB (together with its financial intermediaries, if applicable) will then finalise its assessment for the loan procedure. This may take up to 18 months.

If the loan is granted, CINEA will continue and finalise the preparation of the grant with the successful beneficiaries, on the basis of the loan amount decided by the finance partner.

Please be aware that we can only award a grant if the amount of the loan component approved by EIB is equal or lower than the amount used in your proposal. If a higher amount is needed, you will be invited to withdraw and submit a new proposal.

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* and wait for the results of the assessment by the EIB.

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

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Commission Implementing Decision (EU) 2021/1130 of 5 July 2021 setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund Plus and of Member States eligible for funding from the Cohesion Fund for the period 2021-2027 (OJ L 244, 9.7.2021, p. 10).

be aware that for complaints submitted electronically, there may be character limitations.

9. Award criteria

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

Relevance and impact (10 points): clarity and consistency of the project objectives and planning; extent to which they match the themes and priorities and objectives of the call; contribution to the EU strategic and legislative context; possibility to use the results in other countries; potential to develop mutual trust/cross-border cooperation, contribution to the development needs and priorities described in the relevant territorial Just Transition Plan; significance of the grant component to the project, and the overall objective of promoting regional and territorial convergence; environmental impact (including do no significant harm principle)

– Quality (10 points):

- soundness of the implementation plan, both from the technical and financial point of view; architecture and design approach
- state of preparation of the project and its readiness and ability to start by the proposed date and to be completed by the proposed end date (n/a for Framework Loans)
- status of the contracting procedures and of the necessary permits (n/a for Framework Loans)
- information on the financial availability needed to complement blended support (loan and grant)
- organisational structures put in place (or foreseen) for the implementation; risk analysis; control procedures and quality management
- communication strategy
- maintenance strategy (if relevant).

Bonus points:

Bonus 1: The project is located in a less developed region within the meaning of Article 108(2) of the CPR Regulation 2021/1060¹⁸ and Decision 2021/1130¹⁹ (5 points).

Bonus 2: The project contributes directly to the achievement of the EU's 2030 climate and energy targets and the objective of climate neutrality in the EU by 2050 at the latest (3 points).

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

¹⁹ Commission Implementing Decision (EU) 2021/1130 of 5 July 2021 setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund Plus and of Member States eligible for funding from the Cohesion Fund for the period 2021-2027 (OJ L 244, 9.7.2021, p. 10).

 Bonus 3: The project is promoted by applicants that have adopted decarbonisation plans (2 points).

Award criteria	Minimum pass score	Maximum score
Relevance and Impact	6	10
Quality	6	10
Overall (pass) scores (without bonus)	12	20
Bonus 1	n/a	5
Bonus 2	n/a	3
Bonus 3	n/a	2
Overall (pass) scores (with bonus)	12	30

Maximum points: 30 points.

Individual thresholds per criterion: 6/10 and 6/10 points.

Overall threshold: 12 points.

Proposals that pass the individual thresholds AND the overall threshold will be considered for funding — within the limits of the available budget for their country. 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 quidance documents) can be found on Portal Reference Documents.

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. Retroactive application can be granted exceptionally for duly justified reasons — even before the proposal submission date.

Project duration: see section 6 above

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): see section 6 above

The grant will be a lump sum grant. This means that it will reimburse a fixed amount, based on a lump sum or financing not linked to costs. The amount will be fixed by the granting authority as a fixed percentage of the loan component granted by the EIB/financial intermediary (15 % or 25 % if the project is located in a less developed region within the meaning of Article 108(2) of the CPR Regulation $2021/1060^{20}$ and Decision $2021/1130^{21}$).

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).

Budget categories for this call:

Lump sum contributions²²

Specific cost eligibility rules for this call:

- the lump sum amount must be calculated as a percentage of the loan component in accordance with the methodology set out in the lump sum decision and using the detailed budget table/calculator provided (financial information file)
- the lump sum calculation should respect the following conditions:
 - respect the minimum loan amount set out in section 6
 - for Framework Loans:
 - costs for financial support to third parties: can be included for grants; maximum amount per third party:
 - for projects with grants fixed at 15%: EUR 1 800 000
 - for projects with grants fixed at 25%: EUR 3 100 000;

amounts of more than 60 000 EUR per third party are necessary because the nature of the actions under this call is such that their objectives would otherwise be impossible or overly difficult to achieve.

Please be aware that you may be asked to request an amendment to reduce the grant awarded, if the final amount of the loan component is decreased. If you do not

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

Commission Implementing Decision (EU) 2021/1130 of 5 July 2021 setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund Plus and of Member States eligible for funding from the Cohesion Fund for the period 2021-2027 (OJ L 244, 9.7.2021, p. 10).

Decision of 01 July 2022 authorising the use of financing not linked to costs for actions under the public sector loan facility programme of the Just Transition Mechanism.

comply with this request, we may have to terminate the grant and reduce it from our side (see art 32).

We may also terminate and reduce the grant if your project encounters major delays during the project implementation.

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 (float of normally **70%** of the maximum grant amount; exceptionally less or no prefinancing). The prefinancing will be paid 30 days from entry into force/financial guarantee (if required) — whichever is the latest.

There will be no **interim payments**.

In addition, you will be expected 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.

Prefinancing quarantees

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).

<u>Provisions concerning the project implementation</u>

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: Yes
- additional communication and dissemination activities: Yes

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

- durability: Yes
- specific rules for blending operations: Yes

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).



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 <u>EU Login user account</u>.

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 & 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 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 Topic page (for call-specific questions in open calls; not applicable for actions by invitation)

- Portal FAQ (for general questions).

Please also consult the Topic page regularly, since we will use it to publish call updates. (For invitations, we will contact you directly in case of a call update).

Contact

For individual questions on the Portal Submission System, please contact the ${\color{red}\underline{\text{IT}}}$ ${\color{red}\underline{\text{Helpdesk}}}.$

Non-IT related questions should be sent to the following email address: <u>CINEA-JTM-PSLF@ec.europa.eu</u>.

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

13. Important



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 Portal Terms & Conditions.
- **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). **Subcontracting** should normally constitute a limited part and must be performed by third parties (not by one of the beneficiaries/affiliated entities).

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.

5

- **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 double funding** There is a strict prohibition of double funding from the EU budget. 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 Annotated Model Grant Agreement</u>, <u>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
- o the purpose for which the grant was awarded
- o 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 Funding & Ten'ders Portal Privacy Statement.