



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Digital Society, Trust and Cybersecurity
eGovernment and Trust

CALL FOR PROPOSALS

CNECT/2020/3855382

Preparatory Action

Artificial Intelligence and Big Data in the Digital Transformation of Public Administrations in Europe: The EU Platform for regions

1. INTRODUCTION – BACKGROUND

On 19 February 2020 the European Commission presented its digital strategy¹ which aims at making Europe fit for the digital age². The approach of the digital strategy is to achieve a digital transformation that will benefit everyone. It is based on three main pillars (technology that works for people; a fair and competitive digital economy; and open, democratic and sustainable society) to ensure that Europe seizes the opportunities of digital, and gives its citizens, businesses and governments control over the digital transformation.

The digital strategy is accompanied by a European data strategy³ and a white paper on Artificial Intelligence (AI)⁴. The data strategy aims to make the EU a leader in a data-driven society. Creating a single market for data will allow it to flow freely within the EU and across sectors for the benefit of businesses, researchers and public administrations. In the white paper on AI the Commission proposes a strategic framework for trustworthy AI based on fundamental values, that will give citizens the confidence to accept AI-based solutions, while encouraging businesses and public administrations to develop them.

In order to promote wider uptake and use of advanced digital technologies such as AI, using large amounts of data, the European Commission has proposed the Digital Europe Programme 2021-2027 (DEP)⁵ to support the digital transformation of the European

¹ https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/shaping-europe-digital-future_en

² https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf

³ <https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/european-data-strategy>

⁴ https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/excellence-trust-artificial-intelligence_en#documents

⁵ <https://ec.europa.eu/digital-single-market/en/news/digital-europe-programme-proposed-eu92-billion-funding-2021-2027>

economy and society and bring its benefits to European citizens and businesses. The programme will reinforce Europe's capacities in key digital technology areas through largescale deployment (e.g. high performance computing; artificial intelligence; cybersecurity and trust; and advanced digital skills) and their diffusion and uptake in the public sector and areas of public interests (administrations, health and care, education, judiciary, transport, energy, environment, cultural and creative sectors). The programme will furthermore facilitate the development, uptake and use of solutions and frameworks by European public administrations, businesses and citizens, including the re-use of interoperability solutions and frameworks and the provision of a common data space. A network of regional European Digital Innovation Hubs (DIH) will be set up to facilitate the roll-out of digital technologies to the private and to the public sectors.

The Connecting Europe Facility (CEF) will provide the foundation for this through 5G broadband connectivity in cities and communities.

With these instruments, the European Union will support all relevant layers to use artificial intelligence and big data in the digital transformation of public administrations at regional and local level.

The digital transformation of public administrations is key for the success of the Digital Single Market. The vision, as driven by the eGovernment Action Plan⁶ and the Tallinn Ministerial Declaration on eGovernment⁷, is for public administrations to be open, efficient, inclusive, providing borderless, interoperable, personalised, user-friendly end-to-end digital public services to citizens and businesses – at all levels of public administration. It is in addition one of the pillars of the European Urban policy, as stipulated in the action plan of the Digital Transformation Partnership⁸.

AI and Big Data (BD) are driving a new social and economic paradigm in Europe and beyond. AI and BD used by public administration has demonstrated great potential in a broad range of sectors - going from mobility, to environmental monitoring and geophysical simulations, from smart power grids to personalised healthcare. However, more needs to be done to join, boost and sustain the use and uptake of such technologies. Public administrations, working together at all levels, need to rise to the challenge and to change the way they work and organise themselves. They need to ensure that public services meet the expectations of citizens and businesses, and that civil servants have the skills needed to use new digital tools, to work collaboratively and engage with citizens and businesses.

Cities and regions themselves expressed their desire and the need to work together to find a European way of digital transformation in cities and communities when they signed a declaration during the Cities Summit in Porto on 31 January 2020⁹.

⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - EU eGovernment Action Plan 2016-2020 Accelerating the digital transformation of government, COM/2016/0179 final

⁷ http://ec.europa.eu/newsroom/document.cfm?doc_id=47559

⁸ <https://ec.europa.eu/futurium/en/digital-transition/digital-transition-action-plan>

⁹ <http://www.living-in.eu>

Legal Basis

Preparatory action within the meaning of Article 58(2)(b) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

The annual work programme was adopted under Commission Decision **C/2020/2259** of 20/04/2020.

2. OBJECTIVE – ACTIVITIES - RESULTS

The objective of this preparatory action is to support the establishment of a pan-European tool, in this case a platform ('the EU Platform for Regions'), that facilitates the uptake and use of Artificial Intelligence and Big Data by regional and local public administrations across Europe, with the aim to enhance public administration efficiency and effectiveness in user-centric services.

Activities

The action will focus on the following activities:

- implement and promote a multilingual platform of regions, if necessary through a process of conceptualisation, design and launch, for AI and BD connecting regional governments, ICT agencies, suppliers and enterprises, re-using where possible established best-of-breed open source solutions and closely linked to existing platforms that bring actors at all levels;
- moderating and curating the content of the platform;
- actively reaching out to regional and local stakeholders beyond the consortium encouraging the widest possible use of the platform of regional and local public administrations;
- driving discussions on i.a. the use of shared data, standards and interoperability for public administrations;
- providing seminars/webinars for i.a. the co-creation of user-centred public services based on AI and BD.

The EU Platform for Regions will aim at:

- facilitating knowledge sharing on European, national and regional legislation and regulatory frameworks related to AI and BD;
- sharing best practices for strategic drivers towards digitalisation, such as:
 - infrastructures,
 - data and services,
 - digital skills and communities;
- where relevant, promote the use of interoperable, open urban data platforms to facilitate the management of various cross-sectoral data flows and large number

of stakeholders, in line with the Living-in.eu declaration and its technical specifications;

- sharing of data sets, algorithms and knowledge on AI and BD applications for public services,
- enhancing skills and capabilities of civil servants on AI and BD, including peer learning for managers;
- developing and sharing new ways of working, including smart working;
- generating insights into useful policy approaches on the regional, national and EU-Level to further facilitate the use of AI in public administrations.

The consortium will organise at least two European hackathons on the use of shared data, standards and interoperability for Public Administrations; and 2 Seminars for the co-creation of user- centred public services based on AI and BD.

As much as possible, the action should build on, extend and support the methodology and results of the Overview and Analysis of the Use and Impact of AI in Public Services as provided by the AI Watch study undertaken by the JRC (Task 6) and benefit from the European Artificial Intelligence On-Demand Platform and Ecosystem (AI4EU) and extending and supporting the work of support centre for data sharing (eudatasharing.eu) and the AI4EU platform;

The platform should report regularly on its activities to feed into ongoing work on innovation, such as the Innovative Public Services action funded by the ISA² programme as well as other relevant initiatives on public sector innovation, including those in the area of smart cities and communities, and others, supported by the DEP.

Expected results and outcomes

The outcome of the action should be an EU Platform for Regions that will contribute to making public administrations more efficient, capable of generating public value and delivering better public services. It will drive and support the wider use of AI and BD by regional public administrations and support peer learning by exchanging and developing common responses and solutions (e.g. suggestions for the common data spaces).

A minimum of 2 European hackathons should be organised, focusing on the use of shared data, standards and interoperability for public administrations. The results of the hackathons should feed into the knowledge base of the platform.

Furthermore, a minimum of 2 seminars should be organised for public administrations in Europe on the co-creation of citizen-centric digital public services based on AI and BD.

3. TIMETABLE

The indicative schedule for the different steps and stages of the selection procedure are as follows:

| | Steps | Date and time or indicative period |
|-----|---|---|
| (a) | Publication of the call | Q3 2020 |
| (b) | Deadline for submitting applications | 10 September 2020 |

| | | |
|-----|------------------------------|-----------------------|
| (c) | Evaluation period | Q4 2020 |
| (d) | Information to applicants | Q4 2020 |
| (e) | Signature of grant agreement | Q4 2020 |
| (f) | Start date of the project | 1 January 2021 |

The proposed maximum duration of the project is 24 months.

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of the project under this call for proposals is estimated at **EUR 850.000 (eight hundred fifty thousand euros)**.

The EU co-financing is limited to a *maximum co-funding rate of 75% of the total eligible costs*.

The maximum grant will be EUR 850.000 (eight hundred fifty thousand euros).

The Commission expects to fund **1** proposal.

The Commission reserves the right not to distribute all the funds available.

5. ADMISSIBILITY REQUIREMENTS

In order to be admissible, applications must be:

- sent no later than the deadline for submitting applications referred to in section 3;
- submitted in writing and in electronic form (pdf) (see section 14), using the application form available at <https://ec.europa.eu/digital-single-market/news-redirect/681265> and
- drafted in one of the EU official languages¹⁰.

Failure to comply with those requirements will lead to rejection of the application.

6. ELIGIBILITY CRITERIA

6.1. Eligible applicants

The call is open to:

- A grouping of entities (consortia) – with the entities forming this consortia not having entities affiliated to them.

Proposals may include the following applicants or combinations of:

¹⁰ In order to speed the evaluation process and the award of funds, proposals must be drafted preferably in English.

- national, regional or local public authorities;
- non-profit organisation (private or public, including those that represent regional or local public authorities);
- international organisations;
- universities;
- educational institutions;
- research centres;
- profit making entities;
- natural persons: natural persons are eligible as part of a consortium but the project cannot be coordinated by a natural person.

General notice for UK applicants: In conformity with the EU-UK Withdrawal Agreement¹¹, the UK and persons or entities established in the UK continue to be eligible to receive Union funds under actions carried out in direct, indirect or shared management, which implement Union programmes and activities committed under the MFF 2014-2020 until the closure of those Union programmes and activities. When restrictions apply, these will be clearly specified in the call for proposals.

Affiliated entities

Entities affiliated¹² to the applicants are not eligible to receive funding under this Call for proposals. They may take part in the action as affiliated entities at their own costs only.

Country of establishment

Only applications from legal entities established in the following countries are eligible:

- EU Member States;
- EEA countries.

Consortium requirements

In order to be eligible, a proposal must be submitted by a consortium composed of at least:

- 5 regional administrations, from at least :
 - 3 Member States or EEA countries.

Supporting documents

¹¹ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

¹² In accordance with Article 187 FR, entities that satisfy the eligibility criteria and that do not fall within one of the situations referred to in Articles 136(1) and 141(1) FR and that have a link with the applicant, in particular a legal or capital link, which is neither limited to the action nor established for the sole purpose of its implementation, will be considered as entities affiliated to the applicant.

In order to assess the applicants' eligibility, the following supporting documents are requested:

- **private entity:** extract from the official journal, copy of articles of association, extract of trade or association register, certificate of liability to VAT (if, as in certain countries, the trade register number and VAT number are identical, only one of these documents is required);
- **public entity:** copy of the resolution, decision or other official document establishing the public-law entity ;
- **natural persons:** photocopy of identity card and/or passport; certificate of liability to VAT, if applicable (e.g. some self-employed persons)
- **entities without legal personality:** documents providing evidence that their representative(s) have the capacity to undertake legal obligations on their behalf.

6.2. Eligible activities

The following types of activities are eligible under this call for proposals:

- designing, implementing and testing an interoperable infrastructure;
- conferences, seminars, workshops, webinars;
- training activities;
- awareness and dissemination actions;
- actions aiming at the creation and improvement of networks, exchanges of good practices;
- studies, analyses, mapping projects;
- research activities;
- hackathons.

6.3. Implementation period

The proposed start date is between 1st January 2021 and 1st February 2021.

The proposed maximum duration of the project is 24 months.

7. EXCLUSION CRITERIA

7.1. Exclusion

The authorising officer shall exclude an applicant from participating in call for proposals procedures where:

- (a) the applicant is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended, or it is in any analogous situation

arising from a similar procedure provided for under EU or national laws or regulations;

- (b) it has been established by a final judgment or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
- (c) it has been established by a final judgment or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful intent or gross negligence, including, in particular, any of the following:
 - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract, a grant agreement or a grant decision;
 - (ii) entering into agreement with other applicants with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making process of the Commission during the award procedure;
 - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- (d) it has been established by a final judgment that the applicant is guilty of any of the following:
 - (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
 - (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in the applicable law;
 - (iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
 - (iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
 - (v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
 - (vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

- (e) the applicant has shown significant deficiencies in complying with main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- (g) It has been established by a final judgement or final administrative decision that the applicant has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations of mandatory application in the jurisdiction of its registered office, central administration or principal place of business;
- (h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g);
- (i) for the situations referred to in points (c) to (h) above, the applicant is subject to:
 - (i) facts established in the context of audits or investigations carried out by European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 - (ii) non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
 - (iii) facts referred to in decisions of persons or entities being entrusted with EU budget implementation tasks;
 - (iv) information transmitted by Member States implementing Union funds;
 - (v) decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or
 - (vi) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

7.2. Remedial measures

If an applicant declares one of the situations of exclusion listed above (see section 7.1), it must indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to correct the conduct and prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to the declaration. This does not apply for situations referred in point (d) of section 7.1.

7.3. Rejection from the call for proposals

The authorising officer shall not award a grant to an applicant who:

- (a) is in an exclusion situation established in accordance with section 7.1; or
- (b) has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information; or
- (c) was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equal treatment, including distortion of competition, that cannot be remedied otherwise.

Administrative sanctions (exclusion) may be imposed on applicants, if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

7.4. Supporting documents

Applicants must provide an original “blue ink” signed¹³ declaration on their honour certifying that they are not in one of the situations referred to in Articles 136(1) and 141 FR, by filling in the relevant form attached to the application form accompanying the call for proposals and available at: <https://ec.europa.eu/digital-single-market/news-redirect/681265>

This obligation may be fulfilled in one of the following ways:

- (i) the coordinator of a consortium signs a declaration on behalf of all applicants; OR
- (ii) each applicant in the consortium signs a declaration in its name; OR
- (iii) each applicant in the consortium sign a separate declaration in their own name.

8. SELECTION CRITERIA

8.1. Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the duration of the grant and to participate in its funding.

The verification of the financial capacity shall not apply to public bodies, including Member States organisations and to International Organisations.

In the event of an application grouping several applicants (consortium), the below thresholds apply to each applicant.

The financial capacity of a single applicant or coordinator will always be assessed based on documents to be provided under point 8.1 b).

The individual applicants' financial capacity will be assessed on the basis of the following supporting documents to be submitted with the application:

- a) Low value grants (\leq EUR 60 000):

¹³ A hand-written “blue ink” signature is mandatory (electronic signature conform to eIDAS regulation will however be accepted). While scans suffice before the deadline of proposals, the original blue ink versions must be provided before any grant agreement can be signed by the Commission.

- a declaration on their honour.
- b) Grants > EUR 60 000:
- a declaration on their honour, and
- AND
- the profit and loss account as well as the balance sheet for the last two financial years for which the accounts were closed;
 - for newly created entities: the business plan might replace the above documents;
 - the table with the financial figures provided for in the Annex to the application form (BS and P&L Financial Capacity Check table), filled in with the relevant statutory accounting figures.
- c) Grants for an action > EUR 750 000:
- (i) the information and supporting documents mentioned in point b) above, and
 - (ii) **an audit report** produced by an approved external auditor certifying the accounts for the last two financial years available, where such an audit report is available or whenever a statutory report is required by law.

If the audit report is not available AND a statutory report is not required by law, a self-declaration signed by the applicant's authorised representative certifying the validity of its accounts for the last two financial years available must be provided.

On the basis of the documents submitted, if the Authorised Representative Officer of the Commission considers that financial capacity is **weak**, s/he may:

- request further information;
- decide not to give pre-financing;
- decide to give pre-financing paid in instalments;
- decide to give pre-financing covered by a bank guarantee (see section 11.7.2 below);
- where applicable, require the joint and several financial liability of all the co-beneficiaries.

If the Authorised Representative Officer considers that the financial capacity is **insufficient** s/he will reject the application.

8.2. Operational capacity

Applicants must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action. The applicants must demonstrate/have proven knowledge and/or previous activity in the fields of:

- Experience in setting up and managing interoperable collaborative platforms;
- Experience in the use of artificial intelligence and big data for public administrations and in co-creation of citizen-centric digital public services;

- Experience in organising hackathons, seminars and other outreach activities.

In this respect, applicants have to submit a declaration on their honour, and the following supporting documents:

- curriculum vitae or description of the profile of the people primarily responsible for managing and implementing the operation (accompanied where appropriate, by a list of relevant publications);
- an exhaustive list of previous projects and activities performed and connected to the actions to be carried out as defined in point 2 of this document;
- a description of the technical equipment, tools or facilities and patents at the disposal of the applicant.

In the event of an application grouping several applicants (consortium), the above requirements shall apply to the combined capacity of all members of the consortium. Combined capacity means that individually, each member of the consortium should comply with the criteria corresponding to its task in the project.

9. AWARD CRITERIA

Eligible applications/projects will be assessed on the basis of the following criteria:

| <u>Award criterion</u> | <u>Maximum score</u> | <u>Threshold</u> |
|--|----------------------|------------------|
| <p>1. Excellence The following aspects will be taken into account, to the extent that the proposed work corresponds to the topic description in section 2:</p> <ul style="list-style-type: none"> • Clarity and pertinence of the objectives; the relevance of the project and the contribution of its expected results to the objectives of the call; and credibility of the proposed methodology • Extent that the proposed work is state of the art and demonstrates the capacity to support the digital transformation and innovation of public administration, in particular at a regional and local level • Appropriate consideration of the European Commission’s political priorities, including the Digital Strategy, and of other relevant initiatives in the area | 35 | 20 |

| | | |
|--|------------|-----------|
| <p>2. Impact</p> <p>The following aspects will be taken into account:</p> <ul style="list-style-type: none"> • The extent to which the outputs of the project would contribute to each of the expected impacts mentioned in section 2 under the relevant topic and any substantial impacts not mentioned section 2, that would enhance innovation potential in public administrations, and address climate related issues or bring other important benefits for society • Quality of the proposed measures to ensure wide geographical coverage (the participation of as many regions as possible) and appropriate measures to disseminate the project results outside of the consortium; • Quality of the proposed measures to ensure the sustainability of the project's results and outcomes. | 35 | 20 |
| <p>3. Quality and efficiency of the implementation</p> <p>The following aspects will be taken into account:</p> <ul style="list-style-type: none"> • Quality and effectiveness of the work plan, including extent to which the resources assigned to work packages are in line with their objectives and deliverables • Appropriateness of the management structures and procedures, including risk and data management. | 30 | 15 |
| TOTAL SCORE | 100 | 60 |

Minimum score per criterion (threshold): Proposals scoring less than the indicated minimum score for any award criterion will be considered of insufficient quality and rejected.

Minimum total score (threshold): Proposals with a total score of less than **60** points at the end of the evaluation process will be considered of insufficient quality and rejected.

10. LEGAL COMMITMENTS

In the event of a grant awarded by the Commission, a grant agreement drawn up in euro and detailing the conditions and level of funding, will be sent to the applicant, as well as the information on the procedure to formalise the agreement of the parties.

Two copies of the original agreement must be signed first by the legal representative¹⁴ (person authorised to sign the agreement) of the coordinator on behalf of the consortium and returned to the Commission immediately. The Commission will sign it last.

The applicants understand that submission of a grant application implies acceptance of the general conditions attached to this call for proposals in Annex II to the model grant

¹⁴ The Commission reserves the right to ask the proof of appointment

agreement. These general conditions bind the beneficiary to whom the grant is awarded and shall constitute an annex to the grant agreement.

11. FINANCIAL PROVISIONS

11.1. Form of the grant

11.1.1 Reimbursement of costs actually incurred

The grant will be defined by applying a maximum co-financing rate of 75% to the eligible costs actually incurred and declared by the beneficiary.

Eligible costs must be declared under the following forms ('forms of costs'):

- (a) for direct personnel costs: as actually incurred costs ('actual costs'),
- (b) for direct costs of subcontracting: as actually incurred costs (actual costs);
- (c) for other direct costs: as actually incurred costs (actual costs);
- (d) for indirect costs: on the basis of a flat-rate applied (maximum 7% of the eligible direct costs, excluding direct costs of subcontracting.

For details on eligibility of costs, please refer to section 11.2.

11.2. Eligible costs¹⁵

Eligible costs shall meet all the following criteria:

- they are incurred by the beneficiary.
- they are incurred during the duration of the action, with the exception of costs relating to final reports and audit certificates;
 - The period of eligibility of costs will start as specified in the grant agreement.
 - If a beneficiary can demonstrate the need to start the action before the agreement is signed, the costs eligibility period may start before that signature. Under no circumstances can the eligibility period start before the date of submission of the grant application.
- they are indicated in the estimated budget of the action;
- they are necessary for the implementation of the action which is the subject of the grant;
- they are identifiable and verifiable, in particular being recorded in the accounting records of the beneficiary and determined according to the applicable accounting standards of the country where the beneficiary is established and according to the usual cost accounting practices of the beneficiary;
- they comply with the requirements of applicable tax and social legislation;

¹⁵ Article II.19.1 of the Model Grant Agreement

- they are reasonable, justified, and comply with the principle of sound financial management, in particular regarding economy and efficiency.

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

Eligible costs may be direct or indirect.

11.2.1. Eligible direct costs¹⁶

The eligible direct costs for the action are the costs which:

with due regard to the conditions of eligibility set out above, are identifiable as specific costs directly linked to the performance of the action and which can therefore be booked to it directly, such as :

- (a) *the costs of personnel working under an employment contract with the beneficiary or an equivalent appointing act and assigned to the action, provided that these costs are in line with the beneficiary's usual policy on remuneration.*

Those costs include actual salaries plus social security contributions and other statutory costs included in the remuneration. They may also comprise additional remunerations, including payments on the basis of supplementary contracts regardless of the nature of those contracts, provided that they are paid in a consistent manner whenever the same kind of work or expertise is required, independently from the source of funding used;

The costs of natural persons working under a contract with the beneficiary other than an employment contract or who are seconded to the beneficiary by a third party against payment may also be included under such personnel costs, provided that the following conditions are fulfilled:

- (i) *the person works under conditions similar to those of an employee (in particular regarding the way the work is organised, the tasks that are performed and the premises where they are performed);*
- (ii) *the result of the work belongs to the beneficiary (unless exceptionally agreed otherwise); and*
- (iii) *the costs are not significantly different from the costs of staff performing similar tasks under an employment contract with the beneficiary.*

The recommended methods for the calculation of direct personnel costs are provided in Appendix.

- (b) *costs for the work of volunteers up to the limit of 50 % of the overall Union and other co-financing of the action; - NOT APPLICABLE*

¹⁶ Article II.19.2 of the Model Grant Agreement

- (c) *costs of travel and related subsistence allowances, provided that these costs are in line with the beneficiary's usual practices on travel;*
- (d) *the depreciation costs of equipment or other assets (new or second-hand) as recorded in the beneficiary's accounting statements, provided that the asset:*

- (i) *is written off in accordance with the international accounting standards and the beneficiary's usual accounting practices; and*

- (ii) *has been purchased in accordance with the rules on implementation contracts laid down in the grant agreement, if the purchase occurred within the implementation period;*

The costs of renting or leasing equipment or other assets are also eligible, provided that these costs do not exceed the depreciation costs of similar equipment or assets and are exclusive of any finance fee;

Only the portion of the equipment's depreciation, rental or lease costs corresponding to the implementation period and the rate of actual use for the purposes of the action may be taken into account when determining the eligible costs. By way of exception, the full cost of purchase of equipment may be eligible under the Special Conditions, if this is justified by the nature of the action and the context of the use of the equipment or assets;

- (e) *costs of consumables and supplies, provided that they:*

- (i) *are purchased in accordance with the rules on implementation contracts laid down in the grant agreement; and*

- (ii) *are directly assigned to the action;*

- (f) *costs arising directly from requirements imposed by the Agreement (dissemination of information, specific evaluation of the action, audits, translations, reproduction), including the costs of requested financial guarantees, provided that the corresponding services are purchased in accordance with the rules on implementation contracts laid down in the grant agreement;*

- (g) *costs derived from subcontracts, provided that specific conditions on subcontracting as laid down in the grant agreement are met¹⁷;*

- (h) *costs of financial support to third parties, provided that the conditions laid down in the grant agreement are met¹⁸; (see section 11.8.d)*

- (i) *duties, taxes and charges paid by the beneficiary, notably value added tax (VAT), provided that they are included in eligible direct costs, and unless specified otherwise in the grant agreement.*

¹⁷ Article II.11 of the Model Grant Agreement

¹⁸ Article II.12 of the Model Grant Agreement

11.2.2. Eligible indirect costs (overheads)¹⁹

Indirect costs are costs that are not directly linked to the action implementation and therefore cannot be attributed directly to it.

A flat-rate amount of maximum 7% of the total eligible direct costs of the action, excluding direct costs of subcontracting, is eligible as indirect costs, representing the beneficiary's general administrative costs which can be regarded as chargeable to the action/project.

Indirect costs may not include costs entered under another budget heading.

Applicants' attention is drawn to the fact that if they are receiving an operating grant financed by the EU or Euratom budget, they may not declare indirect costs for the period(s) covered by the operating grant, unless they can demonstrate that the operating grant does not cover any costs of the action.

In order to demonstrate this, in principle, the beneficiary should:

- a. use *analytical cost accounting that allows to separate all costs (including overheads)* attributable to the operating grant and the action grant. For that purpose the beneficiary should use *reliable accounting codes and allocation keys* ensuring that *the allocation* of the costs is done in a *fair, objective and realistic way*.
- b. *record separately*:
 - all costs incurred for the operating grants (i.e. personnel, general running costs and other operating costs linked to the part of its usual annual activities), and
 - all costs incurred for the action grants (including the actual indirect costs linked to the action)

If the operating grant covers the entire usual annual activity and budget of the beneficiary, the latter is not entitled to receive any indirect costs under the action grant.

11.3. Ineligible costs²⁰

The following items are not considered as eligible costs:

- a) return on capital and dividends paid by a beneficiary;
- b) debt and debt service charges;
- c) provisions for losses or debts;
- d) interest owed;
- e) doubtful debts;
- f) exchange losses;

¹⁹ Article II.19.3 of the Model Grant Agreement

²⁰ Article II.19.4 of the Model Grant Agreement

- g) costs of transfers from the Commission charged by the bank of a beneficiary;
- h) costs declared by the beneficiary under another action receiving a grant financed from the Union budget. Such grants include grants awarded by a Member State and financed from the Union budget and grants awarded by bodies other than the Commission for the purpose of implementing the Union budget. In particular, beneficiaries receiving an operating grant financed by the EU or Euratom budget cannot declare indirect costs for the period(s) covered by the operating grant, unless they can demonstrate that the operating grant does not cover any costs of the action.
- i) contributions in kind from third parties;
- j) excessive or reckless expenditure;
- k) deductible VAT.

11.4. Eligible costs that may be covered by the single lump sum

NOT APPLICABLE

11.5. Balanced budget

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

The budget must be drawn up in euros.

Applicants for whom costs will not be incurred in euros should use the exchange rate published in the Official Journal of the European Union.

The applicant must ensure that the resources which are necessary to carry out the action are not entirely provided by the EU grant.

Co-financing of the action may take the form of:

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

11.6. Calculation of the final grant amount²¹

The final amount of the grant is calculated by the Commission at the time of the payment of the balance. The calculation involves the following steps:

Step 1 — Application of the reimbursement rate to the eligible costs

The amount under step 1 is obtained by applying the reimbursement rate specified in section 11.1.1 to the eligible costs actually incurred and accepted by the Commission.

Step 2 — Limit to the maximum amount of the grant

²¹ Article II.25 of the Model Grant Agreement

The total amount paid to the beneficiaries by the Commission may in no circumstances exceed the maximum amount of the grant as indicated in the grant agreement. If the amount obtained following Step 1 is higher than this maximum amount, the final amount of the grant is limited to the latter.

Step 3 — Reduction due to the no-profit rule

‘Profit’ means the surplus of receipts over the total eligible costs of the action, where receipts are the amount obtained following Steps 1 and 2 plus the revenue generated by the action for beneficiaries other than non-profit organisations.

In-kind and financial contributions by third parties are not considered receipts.

The total eligible costs of the action are the consolidated total eligible costs approved by the Commission. The revenue generated by the action is the consolidated revenue established, generated or confirmed for beneficiaries other than non-profit organisations on the date on which the request for payment of the balance is drawn up.

If there is a profit, it will be deducted in proportion to the final rate of reimbursement of the actual eligible costs of the action approved by the Commission.

Step 4 — Reduction due to improper implementation or breach of other obligations

The Commission may reduce the maximum amount of the grant if the action has not been implemented properly (i.e. if it has not been implemented or has been implemented poorly, partially or late), or if another obligation under the Agreement has been breached.

The amount of the reduction will be proportionate to the degree to which the action has been implemented improperly or to the seriousness of the breach.

11.7. Reporting and payment arrangements

11.7.1 Payment arrangements

The beneficiary may request the following payments provided that the conditions of the grant agreement are fulfilled (e.g. payment deadlines, ceilings, etc.). The payment requests shall be accompanied by the documents provided below and detailed in the grant agreement:

| Payment request | Accompanying documents |
|---|---|
| A pre-financing payment corresponding to 50% of the maximum grant amount. | [financial guarantee (see section 11.7.2) ²²] |
| 1(one) interim payment: | (a) interim technical report |

²² The decision on the request of a financial guarantee will be taken by the Authorised Representative Officer of the Commission in line with the financial capacity assessment (section 8.1)

| | |
|--|---|
| <p>For the purpose of determining the amount due as interim payment, the reimbursement rate to be applied to the eligible costs approved by the Commission shall be 75%.</p> <p>The total amount of pre-financing and interim payment shall not exceed 80% of the maximum grant amount.</p> | <p>(b) interim financial statement</p> <p>(c) [a certificate on the financial statements and underlying accounts]²³</p> |
| <p>Payment of the balance</p> <p>The Commission will establish the amount of this payment on the basis of the calculation of the final grant amount (see section 11.6 above). If the total of earlier payments is higher than the final grant amount, the beneficiary will be required to reimburse the amount paid in excess by the Commission through a recovery order.</p> | <p>(a) final technical report</p> <p>(b) final financial statement</p> <p>(c) summary financial statement aggregating the financial statements already submitted previously and indicating the receipts</p> <p>(d) [a certificate on the financial statements and underlying accounts]²⁴</p> |

The interim payment will be made within 12 months after the start date of the action.

In case of a weak financial capacity, section 8.1 above applies.

11.7.2 Pre-financing guarantee

A pre-financing guarantee for up to the same amount as the pre-financing may be requested in order to limit the financial risks linked to the pre-financing payment.

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

The guarantee may be replaced by:

- a joint and several guarantee by a third party or,
- a joint guarantee of the beneficiaries of an action who are parties to the same grant agreement.

²³ The decision on the request for certificates on the financial statements and the threshold will be taken by the Authorised Representative Officer of the Commission during the evaluation of the proposal.

²⁴ The decision on the request for certificates on the financial statements and the threshold will be taken by the Authorised Representative Officer of the Commission during the evaluation of the proposal.

The guarantee shall be released as the pre-financing is gradually cleared against interim payments or the payment of the balance, in accordance with the conditions laid down in the grant agreement.

As an alternative to requesting a guarantee on pre-financing, the Commission may decide to split the payment of pre-financing into several instalments.

11.8. Other financial conditions

a) Non-cumulative award

An action may only receive one grant from the EU budget.

Under no circumstances shall the same costs be financed twice by the Union budget. To ensure this, applicants shall indicate in the grant application the sources and amounts of Union funding received or applied for the same action or part of the action or for its (the applicant's) functioning during the same financial year as well as any other funding received or applied for the same action.

b) Non-retroactivity

No grant may be awarded retrospectively for actions already completed.

A grant may be awarded for an action which has already begun only where the applicant can demonstrate in the grant application the need to start the action before the grant agreement is signed.

In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application.

c) Implementation contracts/subcontracting²⁵

Where the implementation of the action requires the award of procurement contracts (implementation contracts), the beneficiary may award the contract in accordance with its usual purchasing practices provided that the contract is awarded to the tender offering best value for money or the lowest price (as appropriate), avoiding conflicts of interest.

The beneficiary is expected to clearly document the tendering procedure and retain the documentation in the event of an audit.

Entities acting in their capacity as contracting authorities within the meaning of Directive 2014/24/EU²⁶ or contracting entities within the meaning of Directive 2014/25/EU²⁷ must comply with the applicable national public procurement rules.

²⁵ Articles II.10 and II.11 of the Model Grant Agreement

²⁶ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65-242)

²⁷ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243-374)

Beneficiaries may subcontract tasks forming part of the action. If they do so, they must ensure that, in addition to the above-mentioned conditions of best value for money and absence of conflicts of interests, the following conditions are also complied with:

- a) subcontracting does not cover core tasks of the action;
- b) recourse to subcontracting is justified because of the nature of the action and what is necessary for its implementation;
- c) the estimated costs of the subcontracting are clearly identifiable in the estimated budget;
- d) any recourse to subcontracting, if not provided for in description of the action, is communicated by the beneficiary and approved by the Commission. The Commission may grant approval:
 - (i) before any recourse to subcontracting, if the beneficiaries requests an amendment
 - (ii) after recourse to subcontracting if the subcontracting:
 - is specifically justified in the interim or final technical report and
 - does not entail changes to the grant agreement which would call into question the decision awarding the grant or be contrary to the equal treatment of applicants;
- e) the beneficiaries ensure that certain conditions applicable to beneficiaries, enumerated in the grant agreement (e.g. visibility, confidentiality, etc.), are also applicable to the subcontractors.

d) Financial support to third parties²⁸

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

12. PUBLICITY

12.1. By the beneficiaries

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

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

To do this they must use the text, the emblem and the disclaimer available at https://ec.europa.eu/info/resources-partners/european-commission-visual-identity_en.

If this requirement is not fully complied with, the beneficiary's grant may be reduced in accordance with the provisions of the grant agreement.

The EU is not responsible for the views displayed in the publications and/or in conjunction with the activities for which the grant is used.

²⁸ Article II.12 of the Model Grant Agreement

12.2. By the Commission

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

The Commission will publish the following information:

- name of the beneficiary;
- address of the beneficiary when the latter is a legal person, region when the beneficiary is a natural person, as defined on NUTS 2 level²⁹ if he/she is domiciled within the EU or equivalent if domiciled outside the EU;
- subject of the grant;
- amount awarded.

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

13. PROCESSING OF PERSONAL DATA

If processing your reply to the call for proposals involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Unless indicated otherwise, any personal data requested are required to evaluate your application in accordance with the call for proposals and will be processed solely for that purpose by Mr Norbert SAGSTETTER, (acting) Head of Unit, Unit H4 eGovernment and Trust, Directorate-General for Communications Networks, Content and Technology.

Details concerning the processing of your personal data are available on the privacy statement at: https://ec.europa.eu/info/data-protection-public-procurement-procedures_en.

Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 136 of the Financial Regulation. For more information, see the Privacy Statement for the database of the Early Detection and Exclusion System (EDES) at : http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_e_des_en.pdf

²⁹ Commission Regulation (EC) No 105/2007 of 1 February 2007 amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS), OJ L39, 10.2.2007, p.1.

14. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

Proposals must be submitted by the deadline set out under section 3.

No modification to the application is allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or to correct clerical mistakes, the Commission may contact the applicant during the evaluation process.

Applicants will be informed in writing about the results of the selection process.

The Mandatory Grant Application Form and other mandatory documents to be completed are available at <https://ec.europa.eu/digital-single-market/news-redirect/681265>.

Applications **must** be submitted in the correct form, following the guidelines as outlined in section III.1 of the Grant Application Form, duly completed and dated. The application must be submitted in **one original paper copy** (no additional paper copies required) signed by the person authorised to enter into legally binding commitments on behalf of the applicant organisation.

Where applicable, additional information considered necessary by the applicant may be included as an annex (brochures, etc.), but assessment will be based on information included in the application form (therefore please limit the number and size of additional documents and attachments).

An electronic version (pdf) of the application form and all documents on USB stick must be provided together with the printed original requested. The electronic version (pdf) of the Grant Application Form must not be a scan of the paper version but must be searchable.

Applications **must** be sent to the following address:

*European Commission
Directorate-General for Communications Networks, Content & Technology
Unit H4 – eGovernment and Trust
For the attention of the (Acting) Head of Unit Norbert SAGSTETTER
(EUFO 02/179)
10 Rue Robert Stümper,
L-2557, Luxembourg
Luxembourg*

- **by post**³⁰ (evidence will be constituted by the postmark); or
- **by courier service** (evidence will be constituted by date of deposit slip of courier service);
- or **by hand-delivery**. It is compulsory for security reasons to address it to *the central mail department of the Commission* as follows:

*European Commission
Directorate-General for Communications Networks, Content & Technology
Unit H4 – eGovernment and Trust
ARIANE Building
Cloche d’Or
Route d’Esch 400
L – 1471 Luxembourg*

In this case, proof of submission of the proposal will take the form of a receipt signed and dated by the official of the Commission's central mail department who takes delivery of the documents. The department is open from 08.30 to 16.00 on Mondays to Fridays. It is closed on Saturdays, Sundays and Commission holidays.

In addition to the above:

- applicants **must** send an **e-mail** before the deadline set out under section 3 to the following email address: cnect-h4-pppa-calls@ec.europa.eu **to inform us about your submission on paper.**

Applications sent by fax or by e-mail will not be accepted.

Please refer to the “Checklist” at the end of the Grant Application Form for the summary of documents to provide, format (searchable pdf, pdf scan, excel) and support (Original paper, copy or USB)

➤ **Contacts**

Questions and requests for clarification may be sent to: cnect-h4-pppa-calls@ec.europa.eu *with a reference to the Call's title.*

The Commission is not bound to reply to requests for additional information received less than six working days before the deadline for submitting applications set in section 3.

³⁰ Applicants are advised to keep the payment receipt with date and time from the post office in order to be able to prove that the proposal has been sent within the deadline

The answers will also be published in the FAQs section on: <https://ec.europa.eu/digital-single-market/news-redirect/681265> .

➤ **Annexes:**

- Grant application form and its annexes
 - Checklist of documents to be provided
 - Estimated budget form
 - Legal entity form
 - Bank account form
 - BS and P&L Financial Capacity Check table
- Model Declaration of honour
- Model grant agreement and its annexe II

(e-signed)

Jakub BORATYNSKI

Authorising Officer by sub-delegation
Directorate for Digital Society, Trust and Cybersecurity

Appendix

Specific conditions for direct personnel costs

1. Calculation

The ways of calculating eligible direct personnel costs laid down in points (a) and (b) below are recommended and accepted as offering assurance as to the costs declared being actual.

The Commission may accept a different method of calculating personnel costs used by the beneficiary, if it considers that it offers an adequate level of assurance of the costs declared being actual.

a) for persons working exclusively on the action:

{ monthly rate for the person

multiplied by

number of actual months worked on the action }

The months declared for these persons may not be declared for any other EU or Euratom grant.

The **monthly rate** is calculated as follows:

{ annual personnel costs for the person

divided by 12 }

using the personnel costs for each full financial year covered by the reporting period concerned.

If a financial year is not closed at the end of the reporting period, the beneficiaries must use the monthly rate of the last closed financial year available;

b) for persons working part time on the action

(i) If the person is assigned to the action at a fixed pro-rata of their working time:

{ monthly rate for the person multiplied by pro-rata assigned to the action

multiplied by

number of actual months worked on the action }

The working time pro-rata declared for these persons may not be declared for any other EU or Euratom grant.

The monthly rate is calculated as above.

(ii) In other cases:

{hourly rate for the person multiplied by number of actual hours worked on the action}

or

{daily rate for the person multiplied by number of actual days worked on the action}

(rounded up or down to the nearest half-day)

The number of actual hours/days declared for a person must be identifiable and verifiable.

The total number of hours/days declared in EU or Euratom grants, for a person for a year, cannot be higher than the annual productive hours/days used for the calculations of the hourly/daily rate. Therefore, the maximum number of hours/days that can be declared for the grant are:

{number of annual productive hours/days for the year (see below)}

minus

total number of hours and days declared by the beneficiary, for that person for that year, for other EU or Euratom grants}.

The ‘**hourly/daily rate**’ is calculated as follows:

{annual personnel costs for the person

divided by

number of individual annual productive hours/days} using the personnel costs and the number of annual productive hours/days for each full financial year covered by the reporting period concerned.

If a financial year is not closed at the end of the reporting period, the beneficiaries must use the hourly/daily rate of the last closed financial year available.

The ‘number of individual annual productive hours/days’ is the total actual hours/days worked by the person in the year. It may not include holidays and other absences (such as sick leave, maternity leave, special leave, etc). However, it may include overtime and time spent in meetings, trainings and other similar activities.

2. Documentation to support personnel costs declared as actual costs

For **persons working exclusively on the action**, where the direct personnel costs are calculated following **point (a)**, the beneficiaries must keep **time records** for the number

of hours/days declared. The time records must be in writing and approved by the persons working on the action and their supervisors, at least monthly.

For **persons assigned to the action at a fixed pro-rata of their working time**, where the direct personnel costs are calculated following **point (b)(i)**, the beneficiaries must keep **time records** for the number of hours/days declared. The time records must be in writing and approved by the persons working on the action and their supervisors, at least monthly.

For **persons working part time on the action**, where direct personnel costs are calculated following **point (b)(ii)**, the beneficiaries must keep **time records** for the number of hours/days declared. The time records must be in writing and approved by the persons working on the action and their supervisors, at least monthly.

In the absence of reliable time records of the hours worked on the action, the Commission may accept alternative evidence supporting the number of hours/days declared, if it considers that it offers an adequate level of assurance.