



MINISTRY OF ENVIRONMENT,
WATERS AND FORESTS



Guideline for Applicants

Call for proposals

under the Fund for Bilateral Relations within Programme RO04 -

REDUCTION OF HAZARDOUS SUBSTANCES

Financed under EEA Grants

Launch of the Call: 21 November 2016

Deadline for submitting the Financing Applications: 30 August 2017.

End date for the implementation of the actions: 30 September 2017.



1. Context

On July 28, 2010, the Agreement between the European Union and the Governments of Norway, Iceland, Liechtenstein for the 2009-2014 EEA Financial Mechanism regarding the non-reimbursable assistance granted by them in the 2009-2014 period was signed.

Through this mechanism, Romania shall benefit from a total financing assistance of EUR 190.75 million.

The 2009–2014 EEA Financial Mechanism aims at contributing to reducing the economic and social disparities in the European Economic Area and to the consolidation of the bilateral relations between the donor states (Norway, Iceland and Liechtenstein) and the benefitting states through the proposed foreground sectors.

Thus, further to the negotiation process which took place between Romania and the donor states in the October 2011 – January 2012 period, the provisions of the Memorandum of Understanding for the 2009-2014 EEA Financial Mechanism, a document that establishes the cooperation framework and allows the efficient implementation of the granted financial assistance, were agreed, for the period 2009-2014.

The Memorandum of Understanding for the 2009-2014 EEA Financial Mechanism establishes the national entities involved in the implementation of the financial mechanism and their functions within the national management and control system (Annex A), and the implementation framework (Annex B) specifying the list of foreground sectors and the financial allocation granted through the EEA Financial Mechanism in the 2009-2014 period, the identification of the programs approved for financing with the main expected objectives and results, the identification of Programme Operators, and the accepted pre-defined projects.

More information regarding the EEA Financial Mechanism 2009-2014 may be obtained from the following websites: www.eeagrants.ro, www.eeagrants.org and eeagrantsmediu.ro.

The programme RO04 “Reduction of hazardous substances” supports the implementation of the 2009-2014 EEA Financial Mechanism objectives by preventing the adverse environmental effects caused by dangerous chemicals and waste. The objective of the programme, the results and the outputs reflect the targets and priorities of the recent strategies and action plans adopted at a European and national level.

General Objective of the Programme: preventing the adverse environmental effects caused by dangerous chemicals and waste

Specific Objective of the Programme: The programme shall consolidate the capacity of the public entities in charge with implementing and applying European legislation and strategies regarding dangerous chemicals and waste and shall improve the monitoring of hazardous substances in the environment.

Expected Results:

- The programme will strengthen the capacity of 7 public entities responsible for the implementing and enforcing EU strategies and legislations on chemicals and hazardous waste



- The programme will increase knowledge and experience on hazardous substances and waste legislation for more than 160 experts working in public authorities, involved in environmental and health evaluation and on hazardous chemicals and waste legislation

The programme will also improve the monitoring of hazardous substances in the environment. The current level for national network for monitoring groundwater and surface waters in accordance with the legislation includes 88 hazardous substances/ priority for surface waters and 67 hazardous substances/priority for groundwater.

The Fund for Bilateral Relations (hereinafter called the “Fund”) established at the level of the Programme, is dedicated to initiatives meant to develop bilateral relations through cooperation and transfer of knowledge between entities (public authorities/institutions/non-governmental organisations etc) from the beneficiary country, the donor countries and international organisations, i.e. through supporting the organization of or participation to seminars, conferences, workshops, study visits, courses, meetings, etc.

2. Institutional and Legal Framework

2.1. Institutional frameworks

The Ministry of European Funds acts as the **National Focal Point** and represents Romania in its relations with the Financial Mechanism Committee. The National Focal Point will have the overall responsibility to achieve the objectives of the EEA Financial Mechanism 2009 - 2014, and to implement it in Romania.

The **Certifying and Paying Authority** within the Ministry of Public Finance acts as **Certifying Authority (CA)**; it certifies the amounts included in the expenditure statements submitted to the Financial Mechanism Office and receives the EEA Grants amounts transferred to Romania.

The **Central Harmonisation Unit for Public Internal Audit (CHUPIA)** of the **Ministry of Public Finance** acts as the Audit Authority and performs audits of the management and control systems, at Programme and individual projects level.

The **Ministry of Environment, Waters and Forests** acts as **Programme Operator** and is in charge with preparing and implementing the Programme in compliance with the principles of economy, efficiency and effectiveness; it performs mainly the following activities:

- ensures that the projects contribute to the overall objectives of the EEA Financial Mechanism 2009-2014 and of the Programme;
- collects applications, assesses and selects the actions to be financed and signs grant contracts for each application;
- verifies the compliance of the expenditures declared by the Beneficiaries, their compliance with the Regulation on the Implementation of the EEA Financial Mechanism, the Programme Agreement and with the national and EU legislation;



For further details on the prerogatives of the Programme Operator, please consult the Regulation on the implementation of the European Economic Area (EEA) Financial Mechanism 2009-2014, available here:

<http://eeagrants.org/Results-data/Results-overview/Documents/Legal-documents/Regulations-with-annexes/EEA-Grants-2009-2014>

2.2 Legal framework

The present call for projects is governed by the legislation and regulations that are specific to the EEA Financial Mechanism 2009-2014 and Programme RO04 – Reduction of hazardous substances as follows:

- a) the Memorandum of Understanding of the Republic of Iceland, the Principality of Liechtenstein Kingdom of Norway and the Government of Romania on the implementation of the EEA Financial Mechanism 2009-2014, signed on 24 March 2012 and amended on 18 October 2012;
- b) Protocol 38b of the European Economic Area Agreement;
- c) the Regulation on the implementation of the European Economic Area (EEA) Financial Mechanism 2009-2014, approved by the EEA Financial Mechanism Committee in compliance with Art 8.8 of the Protocol 38B on the EEA Financial Mechanism of 13 January 2011 and confirmed by the Permanent Committee of the EFTA States on 18 January 2011;
- d) Government Emergency Ordinance no. 88/2012 on the implementation of the institutional framework for the coordination, implementation and management of the financial assistance granted to Romania through the European Economic Area Financial Mechanism and through the Norwegian Financial Mechanism for the 2009-2014 programming period, approved by Law no. 246/2013 with subsequent amendments;
- e) Government Emergency Ordinance no. 23/2013 on the financial management of the external grants under the European Economic Area Financial Mechanism 2009-2014 and the Norwegian Financial Mechanism 2009-2014 with subsequent amendments;
- f) Minister's Order no. 3804/2793/2015 of November 10, 2015 for approving the Methodological Norms for the application of Government Emergency Ordinance no. 23/2013 on the financial management of external grants under the European Economic Area Financial Mechanism 2009-2014 and the Norwegian Financial Mechanism 2009-2014;
- g) Law 98/2016 regarding public procurement;
- h) Government Ordinance 395/2016 approving the Methodological Norms for the application of provisions concerning the award of public procurement contract / framework agreement of Law. 98/2016 on public procurement;
- i) Order no. 1120/2013, issued by the Ministry of European Funds on the approval of the simplified procedure implemented by private partners of the projects funded under structural instruments, the "Convergence" objective, as well as projects funded under the EEA and Norwegian Financial



Mechanisms for awarding supply, services or works contracts with subsequent amendments and completions.

j) Government Emergency Ordinance no. 66/2011 of 29 June 2011 on preventing, finding and sanctioning the irregularities found in accessing and using European funds and/or related public funds, with further amendments and completions.

k) Minister of European Funds Order no. 1055/16.10.2014 regarding the application of lump sums in the case of travels financed under the Funds for Bilateral Relations at national and programme level under the EEA Financial Mechanism and the Norwegian Financial Mechanism 2009-2014.

l) Government Decision no. 518/1995 as subsequently amended and supplemented.

m) Government Decision no. 1860/2006 as subsequently amended and supplemented

n) Decision 38/2015 for the organization of the Ministry of Environment, Waters and Forests as subsequently amended.

3. Eligible Activities

The fund is dedicated to supporting applications/actions that correspond to the general objective of the Programme, which is preventing the adverse environmental effects caused by dangerous chemicals and waste. The programme shall consolidate the capacity of the public entities in charge with implementing and applying European legislation and strategies regarding dangerous chemicals and waste. Also, the Programme shall improve the monitoring of hazardous substances in the environment, the final purpose being to prevent diseases and the effects on human health and on environment caused by hazardous chemicals and waste. Thus, the financed projects/actions must facilitate the exchange and transfer of knowledge, experience, technology, best practices between similar entities in Romania and donor states within the relevant programme area and aim at developing the bilateral relations between these countries.

For this purpose, the following types of activities are considered eligible:

- Participation to events such as conferences, seminars, study visits, courses and other similar actions as long as the activities remain within the scope of the programme (Participants to the activities must have a sufficient command of the working language to be able to fully participate in all sessions of the workshop/study visit/conference/etc.)
- Organization of events such as conferences, seminars, study visits, courses and other similar actions as long as the activities remain within the scope of the programme.

4. Eligible Beneficiaries and Partners

The beneficiaries and eligible partners under the Fund are Project Promoters, donor project partners or other relevant institutions and non-governmental organisations from Romania and stakeholders from Donor States as well as international organisations.

5. Budget and Financing



Budget of the call: 100.000 Euro.

Note: The Programme Operator is entitled to adjust the budget of the call, based on an analysis of the interest shown by applicants and depending on the possible savings.

Note: There is no maximum amount set for an application budget. The total budget may be contracted based on a single or several applications.

Non-reimbursable grant rate: 100% of eligible costs.

6. Eligibility and Payments

6.1 Eligibility

Conditions for the eligibility of expenditures:

In order to be considered eligible, the expenditures must be effectively incurred by the beneficiary or partner and meet the following conditions:

- (a) they are incurred between the first and final dates of eligibility;
- (b) they are connected with the subject of the action/application and they are indicated in the estimated overall budget of action;
- (c) they are proportionate and necessary for the implementation of the action;
- (d) they must be used for the sole purpose of achieving the objective(s) of the action and its expected outcome(s), in a manner consistent with the principles of economy, efficiency and effectiveness.

The entities whose applications are approved will sign a contract with the PO for the project grant. The expenditures are eligible between the date of signing the grant contract and 30 September 2017.

The following types of expenditures shall be considered eligible:

- (a) Cost of the international travel (return ticket), economy class;
- (b) Participation fee, if applicable;
- (c) Accommodation expenditures: hotel, medical insurance and daily allowance (in the limits established by the legislation applicable to each entity);
- (d) Local public transport in Romania or in the country where the applicant is traveling; Taxi can be settled (under applicable legislation in force) only for transfer to and from the airport to the location where accommodation for participants is provided;
- (e) VAT, provided that it cannot be recovered by the beneficiary and/or partner; the beneficiary must submit an affidavit that it cannot recover VAT;
- (f) Travel and salary costs for lecturing experts;
- (g) costs of conferences, seminars, courses, meetings and workshops; (This type of expenditure may include services for organization of events / rent event spaces / translation services, interpreting and equipment rental (translation / microphones cab, etc.), catering, accommodation costs / transport of participants and fees of lecturers / experts invited but salaries for applicant/ partner)
- (h) Expenditures related to promotional and information activities;
- (i) Fees for external consultancy;



(j) cost of the audit report (for entities from Donor States).

Note:

Consulting expenses for an event / application management -is not eligible , this being the contribution of the applicant / partner.

Expert fees apply for the usual values of entity - ordinary wage policy within the entity. Also their contribution must be closely related to indicators of the application.

Costs of travel shall be granted according to the provisions of Ministry of European Funds Order no. 1055/2014 and as described in section 6.1. of the present Guideline or GEO no. 518/1995 as amended, as applicable. For the donor states, their country legislation applies.

Travel costs are financed based on the provisions of MoEF Order no. 1055/2014, as follows:

(a) Lump sums established for travels financed under the Fund for Bilateral Relations at national level, irrespective of the country of origin of the beneficiary, are as follows: - for travels of 3 to 4 days (2 to 3 accommodation nights): 1600 Euro/person - for travels of 5 to 6 days (4 to 5 accommodation nights): 2000 Euro/person (with a justification for the extended duration of the travel) The lump sums do not include participation fees (if any).

(b) For travels with a different duration from the above-mentioned, the real costs method shall apply, based on supporting documents and in the limits set by the national legislation (Government Decision no. 518/1995 as subsequently amended and supplemented). The same method shall apply whenever travel and/or accommodation costs are covered from other sources (e.g. organisers of the event). In all cases where the provisions of Order no. 1055/2014 do not apply, travel costs are financed in accordance with the provisions of GEO no. 518/1995 as amended.

Note: If the applicant /beneficiary does not apply the provisions of the Minister of European Funds' Order no. 1055/2014 related to the value of the lump sums or on expense justification, the assessment of the application, respectively the verification of expenses shall be performed in compliance with the provisions of Government Decision no. 518/1995 as subsequently amended and supplemented and / or GD no. 1860/2006 as subsequently amended and supplemented.

For the expenditures incurred by a beneficiary or a partner located in a donor state or an international organisation, a report by an independent and certified auditor, certifying that the claimed costs are incurred in accordance with the Regulation, the national law and accounting practices of the beneficiary's or project partner's country, shall be seen as sufficient proof of costs incurred. Donor state project partners may opt for a competent public officer to provide a report, certifying that the claimed costs are incurred in accordance with the Regulation, national law and accounting practices of the project partner's country, provided that the relevant national authorities have established the legal capacity of that competent public officer to audit that entity and that the independence of that officer, in particular regarding the preparation of the financial statements, can be ensured.

6.2 Payments

Applicants may opt for either an advance payment system or a reimbursement payment system, based on the financing needs of the proposed action/project, as detailed below:

- The advance payment involves the provision of an advance payment for carrying out programmed activities of maximum 100% for public entities and maximum 70% for other entities of the eligible



amount of the action (according to the Government Emergency Ordinance no. 23/2013, as amended), based on an advance payment application, and, if applicable, a final payment, based on a final payment application, according to Annex 2 and Annex 4 to these Guidelines; the requested advance payment will be made in correlation with the timing of the approved activities.

- The reimbursement involves the payment of the expenditures already incurred by the Beneficiary, based on a reimbursement application, according to Annex 2 and Annex 4 to these Guidelines.

7. Submission of Applications for Financing:

The application file shall include:

- Grant application form (Annex 1) signed by the legal representative or by a designated proxy
- Declaration on honor regarding the eligibility (Annex 5)
- Declaration on honor regarding the avoidance of double funding (Annex 6)
- Invitation sent to the Beneficiary or equivalent correspondence;
- Partnership Agreement providing clearly for the responsibilities of each partner (in case the partner also manages part of the budget) or letters of intent –for actions implemented in partnership. The signed Partnership Agreement (where necessary) shall be required at the time of the Financing Contract signature.
- Articles of Incorporation and Deeds proving the activity in the priority sector applied for and the date of establishment for NGOs, associations and foundations;
- Proof of registration in the Associations and Foundations Registry

All the documents shall be filled in Romanian and English. Romanian applicants shall express the budget in the national currency (Lei using the inforeuro for the month of application). Other applicants shall express the budget in euro.

The applications for financing shall be submitted at the General Registration Desk of the Ministry of Environment, Waters and Forests: one original, one copy and the electronic version of the application.

8. Evaluation of the Applications

The financing applications submitted shall be continuously evaluated as they are registered, on a 'first come - first served' basis until the entire financial allocation is spent. The evaluation shall be carried out according to the Annex 7 to this Guide for applicants.

During the evaluation, the evaluation committee may ask for clarifications whenever they deem necessary.



The minimum score for the approval of the grant application is **minimum 60 points and the maximum is 100 points**. The decision of the selection commission is final and cannot be appealed. The selection commission and the evaluation commission is composed by experts from the Programme Operator/Programme Donor Partner. The centralized list of the financed actions will be published on the eeagrantsmediu.ro no later than 5 days after the end of the evaluation and selection session.

9. Contracting

The applicant will be notified about the evaluation result in maximum 5 working days after the selection of the application. The contract will be signed in maximum 10 working days after the selection of the application.

The applicants selected to receive grants shall be contacted and shall sign a financing contract in two exemplars with the Programme Operator. The financing contract shall establish the terms and conditions of the grant, as well as the roles and responsibilities of the parties, provisions related to payments, together with the form of the reports.

10. Contact

For clarifications, the applicants may address the Programme Operator - The Ministry of Environment Waters and Forests , Direction for Accessing External Funds, contact person: Delia BUNCEANU, Programme manager, Alina SĂNDULESCU, reporting officer, e-mail: ro04@mmediu.ro, telephone: +4021.408.96.22, fax: +4021.408.96.22. Requests for clarifications may be submitted no later than 3 working days before to the closing date of the call.

Financing applications shall be submitted in a sealed envelope sent by mail, by registered letter, by courier, or handed over directly (a signed and dated acknowledgement of receipt shall be handed over to the person delivering the envelope) at the headquarters of the Ministry of Environment Waters and Forests: Libertatii Blvd., No. 12, Bucharest, District 5, Romania.

The Project Applications sent in any other manner (for instance by fax or e-mail), sent to another address or after the deadline the project applications shall be rejected.

The Programme Operator shall receive the project applications sent by the applicants and ensure their adequate management.

The following information shall be specified on the envelope:

- reference to "Fund for Bilateral Relations Programme RO04";
- full name and contact data of the applicant;

The deadline for submitting financing applications is 30 August 2017, at 14:00. The date of submission of the application is considered the postage/courier date.



11. Further Information

The documents related to the Fund for Bilateral Relations under Programme RO04 are available in electronic format on the web page of the Programme Operator at: www.mmediu.ro; www.eeagrantsmediu.ro

12. Modifications of Financing Rules and Conditions

If, during the project call, modifications of the legal framework or other modifications which may affect the financing rules and conditions established herein occur, the Programme Operator reserves the right to bring supplementations or amendments to its contents.

The amendments or supplementations shall be integrated in the form of a **Corrigendum** to the Applicant's Guide which shall be brought to the applicants' knowledge on the Programme Operator web site.

13. List of Annexes

Annex 1 - Grant Application Form

Annex 2 - Payment request

Annex 3 - Implementation Report

Annex 4 - Supporting documents

Annex 5 - Declaration of eligibility

Annex 6 - Declaration regarding double financing

Annex 7 - Evaluation Grid BF RO04

Annex 8 - Financial identification form

Annex 9 - Final report