



DECISION no. ¹.....
of ^{24th}..... of April 2018

Regarding the complaints lodged against the Monitoring Committee Decision no. 72 of 22nd of March 2018, approving the List of approved and rejected projects submitted under the third call for proposals for the Interreg V-A Romania-Bulgaria Programme - deadline 23rd of October 2017

Having regard to the following:

- Monitoring Committee Decision no. 51 of 2nd of August 2017 approving the Complaint Panel for the EoIs and full applications submitted under the 3rd call for proposals, priority axes 1-3, Interreg V-A Romania-Bulgaria Programme, step 1 and 2,
- The Complaint Procedure of Interreg V-A Romania-Bulgaria,

the Complaint Panel of Interreg V-A Romania-Bulgaria Programme has adopted this:

DECISION

Article 1. The present document rejects the complaint lodged by Călărași County Council, Lead beneficiary of the application no. ROBG 316- „Joint Cultural Heritage- developing cultural patrimony in the cross- border region Călărași- Ruse” and registered by CBC ROC with the number 6180/29.03.2018, appealing the Decision of the Monitoring Committee no.72/22.03.2018 regarding the rejection of ROBG 316.

Article 2. The reasons for rejection of the complaint are:

Annex 2. Feasibility Study/ Equivalent technical documentation on behalf of Lead beneficiary is not elaborated according to the national legislation in force. The motivation presented in the appeal stating that the technical and economic documentation no. 2650/2015 of the proposed objective was carried out according to Government Decision no. 28/2008 and approved by County Council Decision no. 131/ 29.09.2015 is not relevant as it is not subject of the application.

The technical and economic documentation no. 2650/2015 is considered valid at the date of submitting the application, but does not comply with the legal provisions regarding redesigning, as mentioned by Article 7 (6) of Government Decision no. 907/2016, *“If, after the approval of the technical and economic indicators, changes occur that cause the maximum values to be modified in addition and/ or the minimum values of the approved technical or economic indicators to be modified in minus or the exceeding of the intervals*

provided in paragraph (5), the technical and economic documentation must be redesigned accordingly and the procedure for approving the new indicators resumed."

Moreover, the beneficiary's intention to achieve the entire project in several stages fundamentally alters the design theme, the technical and economic indicators approved by County Council Decision no. 131 /29.09.2015, the cost-benefit analysis and all the technical characteristics of the investment.

The documentation attached to the application (dated 2017) does not represent a feasibility study or documentation for the approval of the intervention works and is not elaborated according to the Romanian legislation in force on the date of submission of the application. It is a Justifying technical note that does not comply with the framework content of the technical and economic documentation related to the investment objectives foreseen in either GD 28/2008 or GD 907/2016, has a different drafting team which does not cover all categories of specialized engineers/ architects and the technical and economic indicators are not approved according to the legislation in force.

In conclusion, the beneficiary failed to submit the technical documentation in 2017 updated according to GD 28/2008 (Annex 3- Content Framework of the documentation for the approval of the intervention works) and the technical project carried out according to GD 907/2016. Therefore, the complaint is not justified and is rejected by the Complaint Panel.

Article 3. The decision of the Complaint Panel is final, binding to all parties and not subject of any further complaint proceedings within the Programme.

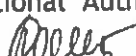
Signed by

Members of the Complaint Panel

Signature

Member 1 - Managing Authority representative, Ministry of Regional Development and Public Administration, Romania 

Signature

Member 2 - National Authority representative, Ministry of Regional Administration Public Works, Bulgaria 

Signature

Member 3 - External expert (from the Evaluation Unit), Ministry of Regional Development and Public Administration, Romania 