



DECISION no. ¹⁴.....
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 Eols 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 Lyaskovets Municipality, Lead beneficiary of the application no. ROBG 473 "*Construction of system for prevention and early warning of floods*" and registered by CBC ROC with the number 6387/02.04.2018, appealing the Decision of the Monitoring Committee no.72/22.03.2018 regarding the rejection of ROBG 473.

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

Annex 2. Feasibility Study/ Equivalent technical documentation is missing, as for putting into operation the envisaged equipments, intervention works need to be undertaken, for which it is required technical documentation / *Annex 2. Feasibility Study/ Equivalent technical documentation*.

The beneficiary mentions that "the investment component of the project is a supply of equipment, its installation and commissioning (testing and putting in operation) by a contractor." and "neither the Applicants Guide nor the national legislation requires elaboration of Feasibility study for supply of equipment" and "the installation and putting in operation of the equipment does not require any construction works as the envisaged equipment will be mounted and situated on existing sites (municipal property) and does not

require connection to electricity as foreseen in GD 907/2016- the 8 sets of water monitoring equipment are autonomously supplied with energy by solar panel and server" while the video wall and the monitoring stations are directly plugged in the existing system, where monitoring center created.

According to the point of view of a technical expert, all the equipment are electrical equipments and need for power supply. For some of them is clear mentioned the need for 220 Volts/ AC. Is hard to consider that the solar panel will support entirely the consumption of proposed equipment, contrary to applicant statement related to electricity connection. Moreover, there are not presented enough technical details of the proposed locations. Even for the right locations which will be chosen during the project implementation there are necessary civil works at least to:

- Assure the physical protection of all the equipment - enclosing by fence or other the solutions
- Assure the security of the peoples (civilians) around the proposed locations.
- Assure the technical conditions for operating - electricity etc.

All of these require civil works intervention at least in the selected 8 locations. For these reasons more documents such as technical/ approvals are necessary.

As for putting into operation the envisaged equipments, intervention works need to be undertaken, for which it is required technical documentation / Annex 2. Feasibility Study/ Equivalent technical documentation.

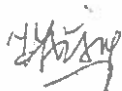
In conclusion, the technical documentation submitted is incomplete, technical documentation / Annex 2. Feasibility Study/ Equivalent technical documentation is missing. Therefore, the complaint is not justified and is rejected by the Complaint Panel.

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, Public Administration and European Funds, 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, Public Administration and European Funds, Romania

