



DECISION no. <sup>3</sup> ...  
of <sup>24th</sup> ... of April 2018

Regarding the complaints lodged against the Monitoring Committee Decision no. 72 of 22<sup>nd</sup> 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 partially accepts the complaint lodged by Chiprovtsi Municipality, lead beneficiary of the application code ROBG - 559 - "Creating Access to Tourist Sites" and registered by CBC ROC with the number 6210/29.03.2018, in what concerns the appeal on the score received at the quality and financial assessment stage. However, rejects the appeal on the Monitoring Committee Decision since the overall score received after the complaint was analyzed was of 48,5 points, thus below the 60 necessary threshold.

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

2.1. Considering the technical and qualitative evaluation:

The applicant appeals the score of 46.5 points received for the application code ROBG - 559 - "Creating Access to Tourist Sites". For the technical verification it was considered only the criteria which received less score during the evaluation than those considered by the Lead Beneficiary within the Assessment Grid on the Quality/Technical Assessment Criteria:

- Q 3 - "Does the project have synergy with other EU projects?" - (received 0 points out of 1 point) - rejected by the Complaint Panel.

The applicant mentioned in the complaint the information already included in the initial application form, stressing in fact the cross border impact of the project proposal that addresses to common problems in the CBC region for small municipalities and villages. Then, follows an enumeration of projects that are supposed to capitalize their results, all described in a general manner, as "best practices and lessons learned" from the list of enumerated projects will be used, without indicating which are actually the results that will be capitalized in the project. The provided information about implemented projects by both project beneficiaries do not show a clear synergy with other EU projects in the scope of Specific objective. Therefore, the granted score of 0 points is justified.

- Q4 - "To what extent is the project contributing to the accomplishment of at least one of the outputs (beside the financial OI) of the Programme priority axis/specific objective as listed in section I.5. of the AG" - (received 5 points out of 10 points) - rejected by the Complaint Panel.

In the submitted Application form the beneficiaries propose to contribute to the Programme output indicator "I9 - Number of integrated tourism products/services created" - 1 ("Spiritual secrets") which means 2,33% from the Programme output with 4,32% budget out of the total financial allocation for the respective priority axis. Also, the beneficiaries propose to contribute to the Programme output indicator "I10 - Number of common strategies, policies or management plans for valorizing (including raising awareness) the cultural and natural heritage through its restoration and promotion for sustainable economic uses" - 1 development common management plan for preservation and promotion of cultural sites in the two municipalities and 1 - development of marketing strategy for promotion of tourism product "Spiritual secrets".

The contribution provided to indicator "Increase in expected number of visits to supported sites of cultural and natural heritage and attraction" cannot be considered as relevant, as it is not targeted by the 3rd call for proposals.

Even if the beneficiaries intend to contribute to the Programme with more than one output indicator, in terms of quantity, the Lead Beneficiary failed to describe the way of their accomplishment. The application contains information about the correlation between the financial resources needed and expected outputs, but it has weaknesses in terms of their accomplishment, not being properly described, for example for the tourism product "Spiritual secrets" - what actually represents and who will develop it. Also, for the common management plan the application does not provide relevant information on how will be implemented or who are the relevant actors in the field who will use it. As for the marketing strategy, again the Lead Beneficiary failed to describe how will be implemented and which will be its impact in the context of the identified problems in the project, lack of sufficient funding and support for the smaller cities and villages in the CBC region and further its contribution to the economic wellbeing of the region.

Therefore, the granted score of 5 points is justified.

- Q6 - "Are the project beneficiaries accomplishing all 4 cooperation criteria" - (received 1 point out of 2 points) - rejected by the Complaint Panel.

The beneficiary argues that all four cooperation criteria are accomplished and therefore the project should receive 2 points. The joint staff criteria was not demonstrated by the projects beneficiaries: certain tasks of the internal team overlap with those of the outsourced team on both sides. Therefore, the granted score of 1 point is justified.

- Q7 - "Is the project generating a strong cross-border impact?" - (received 1 point out of 2 points) - rejected by the Complaint Panel.

The project beneficiaries claim 2 points should be awarded based on the fact that "all partners will participate actively in all activities". The beneficiary sustains his point of view with general remarks that through a joint implementation of the project by both partners, on both sides of the Danube, the project idea can generate a strong cross-border impact. In other words, what is mentioned in the application, as well as in the complaint could be at most the basic condition for the implementation of a cross-border project and not at all how that idea would have a strong cross-border impact and a wider joint problem is tackled by this project. Therefore, the granted score of 1 point is justified.

- Q8 - "Is the project proposing specific measures to contribute to the promotion of equal opportunities and non-discrimination?" - (received 0 points out of 1 points) - rejected by the Complaint Panel.

In the submitted Application form it could be observed that no specific measures for contribution to the promotion of equal opportunities and non - discrimination were identified

in the project, only the general measures required. Therefore, the score granted by assessors is justified.

- Q9 - "Is the project proposing specific measures to contribute to the promotion of equality between men and women?"- (received 0 points out of 1 point) - rejected by the Complaint Panel.

The same observation as previous, no specific measures for promotion of equality between men and women were identified in the project, only the general principle of equality between men and women which should be observed in the project activities, therefore the score granted by assessors is justified.

- Q10 - "Is the project proposing specific measures to contribute to the promotion of sustainable development?" -(received 0 points out of 1 point) - rejected by the Complaint Panel

As the beneficiary states, the project promotes tourism in Danube area by using green technologies, such as solar panels for providing electricity and heat in the toilets and the tourist center in Motatei along with solar powered lights on the road in Motatei. The use of green solution is considered by the beneficiary as a specific measure foreseen to contribute to the promotion of sustainable development, but the application does not describe how this measure contributes to it. The simple fact that green solutions are used, for which the applicant has been already evaluated and awarded with the maximum score for the dedicated criteria, does not automatically mean that the proposed specific measure will contribute to the promotion of sustainable development. No other relevant information about their use after the finalization of the project could be found in the submitted project proposal.

Therefore, the granted score of 0 points is justified.

- Q14 - "Is there a logical link (correlation) between problems, objectives, resources, activities, outputs and results?" (received 6.5 points out of 15 points) - rejected by the Complaint Panel.

The beneficiary has expressed his objection by repeating the information included in the description of Activity "Common management plan for preservation and promotion of cultural sites in the two municipalities" of the initial submitted Application form. The assessors granted 6.5 points as the project structure is not appropriate enough, the logical link between problems, objectives, resources, activities, outputs and results being considered satisfactory, and project beneficiaries claim the maximum 15 points should be awarded.

The beneficiaries propose to develop within this project a tourism product called "Spiritual secrets" without describing what actually represents and who will develop it. There are mentioned in the application two cultural sites: Goshovsky Monastery "St. Archangel Michael" on behalf of the Lead Beneficiary and church of St. Nicholas Dobridor, on behalf of Beneficiary 2, the Lead Beneficiary failing to describe how those two cultural sites will represent/will become a tourism product. Moreover, within the project it is supposed to be conducted a study for the hidden cultural sites with high tourism potential in the CBC region, further the identified sites to be included in a common management plan for preservation and promotion of cultural sites. The application does not provide relevant information on how will this management plan be implemented or who are the relevant actors in the field who will use it. After the elaboration of this common management plan, which will be developed by LB for both sides of the area, follows a marketing strategy for promotion of tourism product "Spiritual secrets" developed by the Lead Beneficiary. Again, the Lead Beneficiary failed to describe how will the respective strategy be implemented and which will be its impact in the context of the identified problems in the project, lack of sufficient funding and support for the smaller cities and villages in the CBC region and further its contribution to the economic wellbeing of the region. Also Beneficiary 2 envisages to repair and equip with adequate equipment/furniture a Touristic Informational Center. The Lead Beneficiary failed to describe where it is located or how will it be functional. Some trainings will be organized by both beneficiaries for at least 20 participants/experts in cultural and historic heritage in order to present them the elaborated strategy and documents of the project. Again, the Lead Beneficiary failed to describe how these experts will use the information obtained at the

trainings and which will be the impact of this activity in the context of the objectives proposed by the project.

For the score granted in Q14, the assessors were taken into consideration also the fact that the project proposal has a less than proportionate contribution to the accomplishment of the Programme result indicator (Number of tourist overnights in the CBC region). The project contributes with 0.09% overnights of the Programme (500 overnights) with 4,32% budget out of the total financial allocation for the respective priority axis.

In view of all above mentioned, the score granted by the assessors, in this case 6.5 points, is justified.

- Q15 "Are the project activities clearly described, realistic and achievable? The proposal is realistic and consistent from a technical point of view?" (received 5 points out of 15 points) - rejected by the Complaint Panel.

There is no clear coherence between objectives - results - activities - costs, the description of activities is not satisfactory, but achievable and therefore the project might be considered consistent from technical point of view. As regards of the respective criteria, most of the project activities are clearly described, however some of them are too ambitious in terms of impact. The part related to the investment activities for rehabilitation of the road to the monastery may be considered realistic and achievable but not convincing in terms of results and impact. As for the non-investment measures, development of the common management plan, development of the marketing strategy for promotion of tourism product "Spiritual secrets", study and drafting of a catalogue and tourist guide with the hidden and historical sites, organization of professional training of experts in cultural and historic heritage, the activities are unclear, with vague justifications and not sufficient and convincing results in terms both implementation and impact.

In this view, the assessors decision of granting an average score of 5.00 points, correspondent to the milestone of "the description of the activities is not satisfactory but they seem achievable and therefore the project could be considered as consistent from technical point of view" can be acceptable, as the main part of the activities are considered unclear with unconvincing justifications and did not allow the proposal to be framed within superior milestone "the project is realistic and consistent from a technical point of view, its activities are realistic and achievable but could be better structured and described". Therefore, the score should remain unchanged.

- Q16 - "To what extent do the activities follow a logical time-sequence?" (received 2 points out of 5 points) - rejected by the Complaint Panel.

There is an unsatisfactory logical time sequence shown - the logic can be found but it is not explained. As previously highlighted the lack of clarity in the description of activities corroborated with the objectives proposed by the project that any of them is not sufficiently described how they will be achieved. Therefore, the assessors' decision for granting an average score of 2 points is justified.

- Q17 - "Are the proposed information and publicity activities sufficient in order to be able to achieve dissemination of project results and visibility among target groups?" (received 1 point out of 2 points) - rejected by the Complaint Panel.

Within the Application Form it can be observed that most of the information and publicity channels will be used - press conferences, web site creation, package for promotional materials, other public events, publications in local media. However there is partial relevance between the number and the type of the information tools and the indicative number and type of the target groups planned to be reached and involved in the project. Therefore maintaining the score of 1 point is justified.

- Q18 - "Are all the proposed information and publicity activities necessary? Are the proposed information and publicity activities proportional with the project activities as a whole?" (received 1 point out of 2 points) - rejected by the Complaint Panel.

In view of the main objective of the project, namely to bring together the people in the region through protecting their common cultural and historic heritage and further contribute to their

economic wellbeing, to improve the cultural heritage of the Euroregion and to increase public awareness of the importance of the cultural and historic heritage of the region through creating integrated tourism product - "Spiritual secrets" it can be considered that the proposed information and publicity activities correspond partially to the project scope and purposes. Therefore maintaining the score of 1 point is justified.

- Q19 - "Are the project results realistic?" (received 3 points out of 10 points) - rejected by the Complaint Panel.

As already underlined in the previous criteria, the project proposal has weaknesses in terms of clarity of activities description and in the accomplishment of its results and indicators. The project results could be achieved and measured with the proposed activities scope, schedule and budget but the planning is risky, not being enough evidence on how the results will be achieved. In this view, the score of 1 point is justified.

- Q20 - "Are the target groups clear and correctly correlated with the proposed activities?" (received 1 point out of 3 points) - partially approved by the Complaint Panel.

Within the appeal the applicant is repeating the same explanation as filled in the Application form. Still, the general description of the correlation between the target groups and the proposed activities is presented. Therefore, the score granted for this criteria should be 2 points instead of 1 as granted by assessors.

- Q21 - "Are target groups needs properly tackled by the project?" (received 1 point out of 3 points) - partially approved by the Complaint Panel.

Within the appeal the applicant is repeating the same explanation as filled in the Application form. Still, according to the above explanation, the score granted for this criteria should be 2 points instead of 1 as granted by assessors.

- Q22 - "Do the beneficiaries have a clear and feasible plan for the sustainability of project results?" (received 1 point out of 2 points) - rejected by the Complaint Panel

Within the appeal the applicant is repeating the text from the Continuation strategy of the Application form. The information provided is too general and doesn't provide clear and feasible plan for the sustainability of all project results. The continuation of some project activities is described and feasible. Therefore maintaining the score of 1 point is justified.

- Q23 - "Is the proposed project budget justified, directly connected and proportionally correlated with what is described in the project activities?" (received 10 points out of 15 points)

Within the submitted Application Form no budgetary reductions were necessary, however some expenditures were wrongly framed and had to be transferred to other budgetary lines according to the provisions of the Programme. The budget of the Lead Beneficiary cannot be estimated as necessary and well justified in relation to the proposed investment. In addition, the allocation of resources is overestimated and there is a discrepancy between the General Estimate and the value of the investment provided in the documentation. Based on these facts, it cannot be considered that full correlation between activities and budget exists and the budget is sufficiently justified. Therefore, the score of 10 points is justified.

Concluding, the total score of the technical and qualitative evaluation (48.5 points) is below 60 points, therefore the project is proposed for rejection.

2.2. Considering the complaint appealing 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*, please be informed that:

- According to Article 49, Regulation 1303/2013, the Monitoring Committee shall review the implementation of the programme and progress made towards achieving its objectives. In doing so, it shall have regard to the financial data, common and programme-specific indicators. Also, the monitoring committee shall examine all issues that affect the performance of the programme, including the conclusions of the performance reviews. Thus, the MC is entitled to take any decision for the programme benefit.
- Selecting the projects above 60 points is extremely risky, since all the financial allocation

would be consumed, but more than half of the Programme indicators would not be reached, thus creating premises for missing the Programme targets and possible financial corrections from the European Commission.

- Moreover, the European Commission calls for giving priority to projects which make a high contribution to achieving the programme's results and objectives and clearly illustrate the contribution of individual projects to these.
- The MC decision has not changed the evaluation rules nor the selection criteria set by the Applicant's Guide and approved by the Monitoring Committee, thus the quality of a project could not be affected by the fact that the MC decided to select higher quality projects and the score received was not alliterated by this decision. The quality of the project did not change as result of this decision and each project's aim should be of providing the best quality possible, as close as possible to the maximum (100 points).
- The decision of the Monitoring Committee was taken in line with the EU legislation and Programme provisions for ensuring a high quality implementation and the achievement of the objectives.

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 and Public Works, Bulgaria



Signature

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

