



EUROPEAN UNION

Delegation of the European Union to Bosnia and Herzegovina

Sarajevo, August 2012

CLARIFICATION no. 2
to Call for Proposal, EC/BIH/CfP/12/004

Location: Europe (non-EU) — Bosnia and Herzegovina

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QUESTION no. 1

It is stated in the Guidelines for Grant Applicants (under chapter 2.1.3 Eligible actions) that "projects taking place outside Bosnia and Herzegovina" are among ineligible types of action. Our question is: Is it eligible to have certain activity - or certain step within an activity - that would take place outside Bosnia and Herzegovina (i.e study visit to another country)?

ANSWER no.1

Activities that are taking place outside BiH are not eligible.

QUESTION no. 2

In the Corrigendum No. 1 to the above CfP, it is stated that operating costs are ineligible. Please clarify what the term "operating costs" means in the context of this CfP, namely:

QUESTION no.2.1.

Is means that ineligible operating costs include any or all of the budget lines under Budget line 4. Local Office costs (4.1 Vehicle costs, 4.2 Office rent; 4.3 Consumables - office supplies, 4.4 Local office costs) although they represent the costs strictly spent on implementation of the proposed project (i.e phone costs related to project-related communication)?

ANSWER no.2.1.

Operation costs are the ones which are normally borne by the Organisation (applicant and partners) with or without the project to be financed.

QUESTION no. 2.2.

If answer to 2.1 is affirmative, is it then allowed to include these costs under budget line 10. Administrative costs, providing they refer strictly to implementation of the proposed project?

ANSWER no. 2.2.

Please refer to answer above. Please note that costs included in budget line 10 must also be eligible.

QUESTION no.2.3:

If answer to 2.1 is negative, is it then meant that the term "operating costs" refers in full amount to the budget line 10. Administrative costs?

ANSWER no. 2.3.

Please refer to answer above.



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QUESTION no. 2.4:

If none of the above is the case, does it mean then that the term "operating costs" refers to administrative costs of the applicant and/or its partners, that are NOT related to the implementation of the project? In this case, do they fall under budget line 10?

ANSWER no. 2.4.

Both applicant and partners can claim costs under administrative costs if eligible and justified under the Action. The budget is both a cost estimate and a ceiling for administrative costs. Please read also provision on Partners, point 2.1.2 of the Guidelines for grant applicants.

Please refer to answer above. Note that all costs to be considered eligible must relate to the implementation of the project (see article 14 of the general conditions).

QUESTION no. 3

Could some of the project staff of the partner organization be engaged in the project under service agreement (ugovor o djelu) instead of the labor agreement (ugovor o radu)?

(Labor agreement refers to the contract with fully paid pension and health contributions to the net salary amount)

ANSWER no. 3

It is up to the Applicant organization to regularize the way of engagement of the staff assigned to the action.

QUESTION no. 4

We ask for an explanation of the Guidelines for grant applicants written as follows:

For the activities of the Humanitarian demining and Mine Risk Education, the Organisations must be accredited for work in line with the provisions of the Law on demining in BiH. The law on demining writes:

II - STRUCTURE DEMINING IN BOSNIA AND HERZEGOVINA

Article 3. Organizacijska struktura deminiranja u Bosni i Hercegovini sastojat će se od tijela na razini Bosne i Hercegovine, na razini entiteta i na međunarodnoj razini. The organisational structure for demining in Bosnia and Herzegovina shall consist of a body at the level of Bosnia and Herzegovina, at the entity level and at international level.

B. ENTITY BODIES

Article 12.

1. Government entities shall be established by the bodies that will allow beforehand and in an efficient manner:

- a) decides, in consultation with donors and the Board of Donors, on the allocation of funds will be made available to government entities,
- b) Proposes a program of priorities for presentation to the Board of Donors.

2. Civil Protection

Article 13.

Government entity shall, in accordance with law and regulations, ensure the competence and responsibilities of the Civil Protection in demining in accordance with the Law on Demining in Bosnia and Herzegovina.

The question is:



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Who is an eligible applicant that meets the following formulation: Organisations must be accredited for work in line with the provisions of the Law on Demining in BiH.

Namely, by text of

ORDINANCE for Accrediting organisations for the implementation of mine countermeasures action in Bosnia and Herzegovina accreditation are related to the authorised contractors of various activities in mine countermeasures action which in our opinion are the contractors by tender EuropeAid/133-156/L/ACT/BA and EC/BIH/CfP/12/004. As we understand, the contractors to get jobs have to pass the procedure of public procurement in accordance to PRAG and cannot be lead partners or get a grant.

But the question then is who are the "Organisations must be accredited for work in line with the provisions of the Law on Demining in Bosnia" (in Guideline) that can be lead partners in activities under Lot 1 "Demining" which the grant is awarded to.

Can Lead partners be municipalities and cities or the Civil Protection or any other organization at the municipal level or at other levels?

ANSWER no. 4

Please refer to the Guidelines for Applicant, article 2.1.1 Eligibility of applicants: who may apply.

In addition **For LOTS No. 1 and 2** all legal entities must be accredited in line with the Regulations for accreditation of organizations conducting mine action in Bosnia and Herzegovina Pursuant to Article 21, Subsection 2 of the Demining Law in Bosnia and Herzegovina ("Bosnia and Herzegovina Official Gazette" No 5/02) and Decision on forming appeals panel at the Council of Ministers of Bosnia and Herzegovina ("Bosnia and Herzegovina Official Gazette" No 73/07), and in relation with the provisions of Standard for removal of mines and unexploded ordnance, approved by Demining Commission in Bosnia and Herzegovina on 1st June, 2003 and 15th, March, 2004, Standing Operational Procedures for humanitarian underwater demining in South-East Europe (No 051/04-1042/1 dated 8th November, 2004) and Bosnia and Herzegovina Mine Action Strategy dated 14th October, 2004, as well as in compliance with "Unique regulations for development of legal regulations in institutions of Bosnia and Herzegovina ("Official Gazette of BiH" No 11/05), on the proposal of Bosnia and Herzegovina Mine Action Center, the Demining Commission in Bosnia and Herzegovina (attached as Annex I of this clarification).

The provision for requirement for application does not apply to the partners of the applicant that will implement the socio-economic development activities under LOT 1 since not all demining organisations have experience in provision of these measures.

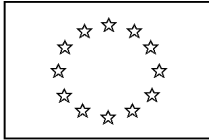
QUESTION no. 5

We have some uncertainties regarding ineligible and eligible costs. Could you please clarify if the costs below are considered eligible?

QUESTION no. 5.1.

Direct financial (sub-granting) support to the project beneficiaries for starting SMEs or start-up business; if yes, is the maximum of sub-grants sum foreseen?

ANSWER no. 5.1.



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There is no sub-granting foreseen. The assistance to be provided for starting up of business in any form must be procured by the Applicant based on the Annex IV, Grant Procurement rules. All financial obligations for registration of business, taxes are also obligation of the Applicant organization.

QUESTION no. 5.1a)

Direct financial support for more specific certificates eligible for victims in need holding certain degrees of education in order to improve their job opportunities. E.g.: BA English teacher taking a professional exam for Court Interpreter.

ANSWER no. 5.1a)

The direct financial support is not allowed. Such activity as described under the example must be paid directly by the Applicant.

QUESTION no. 5.2.

Contributions in kind such as donations in cattle, agricultural machinery and material, etc.

ANSWER no. 5.2.

Donations are contribution in kind and therefore not considered as actual expenditure and are not eligible costs.

QUESTION no. 5.3.

Bank charges arising directly from cash flows and operations relating to the implementation of the project.

ANSWER no. 5.3.

It is not eligible.

QUESTION no. 5.4.

Furthermore, could you please clarify what kind of operating costs and core funding of applicant and their partners related to the Call of Proposals are considered ineligible?

We would appreciate if you could provide us with several specific examples of the aforementioned costs.

ANSWER no. 5.4.

See answer no. 1

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