PROGRAMME MANUAL

CONTRACTING PROCEDURES

Programme cofinancé par le Fonds Européen de Développement Régional (FEDER)

Programme cofinanced by the European Regional Development Fund (ERDF)

The Med proposals presented in the context of calls for projects are approved and selected by the Programme Steering Committee (SC) composed of representatives of all States participating in the Programme.

Following the projects selection, the JS will organise a Lead Partner Seminar in order to ensure that projects clearly understand Programme requirements and are quickly operational.

On the basis of the results of the assessment process established for each call for proposals, the steering committee decides to reject or to approve proposals submitted by applicants, including approving them "under condition" or "with recommendations".

After the Notification of the decision of the Steering committee to lead partners a pre-contracting procedure is initiated individually between each Lead Partner (hereafter LP) of selected project and their designated Project Officer (PO) in the JS, in order to meet the requirements of the SC and to consolidate the information provided the in application form.

Pre-contracting procedure

Project partners will have access to the on line monitoring tool Synergie-CTE, only after pre-contracting phase and validation of the consolidated Application Form

All selected projects will undergo a pre-contracting procedure. In most cases this will focus on the consolidation of the contact information and correcting small technical incoherences in the application form. For project proposals selected for funding and approved under conditions, the corrections might be more substantial.

During the pre-contracting phase the Lead Partner, in cooperation with the JS, make the necessary adjustments to the on-line Application Form in order to fulfil the conditions established and to correct any technical inconsistencies detected by the JS in the evaluation phase.

PROJECTS APPROVED UNDER CONDITIONS

In the case of projects that have to fulfil conditions for approval before entering into the contracting procedure, a revision of the submitted Application Form and/or the submission of additional documents or information should take place. During this phase the Lead Partner, has to make the necessary adaptations to the Application Form in order to fulfil all the conditions established by the Steering Committee.

MULTI-MODULAR PROJECTS: FOCUS ON MILESTONES AND INDICATORS

In addition, the selected multi-modular projects, in cooperation with the JS, shall identify the key deliverables and milestones on the basis of the planning provided in the Application Form that will be used during the follow-up of the project implementation, as well as in the MA/JS verification to go from one module to another. As a general rule, no more than 2 milestones per year should be identified in order to ensure a feasible management and monitoring.

UPDATE OF PROJECT'S DOCUMENTATION AND FILLING IN THE ADMINSITRATIVE INFORMATION IN THE APPLICATION FORM

The Lead Partner has to complete/update the following information in the Application Form:

- Name and contact details of the project management team, i.e. project, finance , and communication manager;
- Bank information of all partners;
- Download of the eventual updated version of the declarations submitted during the application phase as far as the information is outdated.

Furthermore, this stage can be used to solve any **minor technical issues** or adjustments in the Application Form highlighted during the JS evaluation.

Finally, approved projects including partners benefiting from a State aid regime[1] or international organisations acting under international law must provide the following documents, updated or in addition to those already sent in:

During the pre-contracting phase, any Partner must provide to their LP an updated version of the declaration submitted during the application phase if the information is outdated

GBER (General Block Exemption Regulation)	SMEs shall provide a SME status declaration, according to the definition of SME of the Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprise. A template is provided by the Programme.
De minimis rule	Update of the *de minimis* declaration, only if the included amounts have changed since the submission of the proposal[2]. A template is provided by the Programme.
International organisations acting under international law	International organisations acting under international law shall provide a declaration accepting the requirements deriving from the Treaty for the Functioning of the European Union and the regulations applicable in the framework of the Interreg MED Programme defined in section 2.2.1 of the Programme Manual. No template provided by the Programme.

If the relevant document cannot be provided, the concerned partner shall be excluded, and might be replaced by a similar partner in capacity to provide relevant documents.

NB: ("external") Partners established outside the cooperation area:
Concerning approved projects that include European partners located outside the cooperation area, the Programme provides for **the mandatory signing** of an Agreement on management and control between the Managing Authority and the concerned European country or region.

The relevant authorities are in charge of this procedure and inform the Programme Steering Committee, the Lead Partner and the partners involved in the operation of its outcome.

If within 12 months of approval of the project, the procedure does not result in the signing of an agreement between the two authorities, the external partner participation is rejected. The concerned partner may be replaced by a similar and solvent partner, with the support of the JS and NCPS of the MED area.

[1] For more information please refer to the “State Aid” factsheet.
[2] The *de minimis* threshold shall take effect from the date of the MED grant (date of the signature of the Subsidy Contract). Therefore, the de minimis amount granted by the Interreg MED Programme shall include amounts changes from the date of the project submission to the date of the signature of the Subsidy Contract.

Contracting procedure

A single Subsidy Contract concerning ERDF and IPA partners will be signed between the Managing Authority and the Lead Partner.

Once the information of the Application Form is consolidated[3], a **Subsidy Contract** is signed between the Managing Authority and the Lead Partner of the approved project. The Subsidy Contract determines the rights and responsibilities of the Lead Partner and the Managing Authority, as well as the activities to be carried out, the conditions of financing, the requirements concerning reports and financial controls, etc.

Two copies of the Partnership Agreement are to be signed by the legal representative of each partner and the Lead Partner.

In order to speed up this procedure, it is highly recommended that the Lead Partner sends by e-mail the page to be signed by the partner. Once the document is signed, the partner should send it by post to the Lead Partner who will countersign it. At the end the compilation of all signed pages will compose the validated Partnership Agreement.

In parallel a **Partnership Agreement,** formalizing the organization of the partnership and defining the responsibilities of each partner for the implementation of the project in accordance with the consolidated application form, is concluded between the Lead Partner and all the partners involved in the project.

The Partnership Agreement clearly states the so called "Lead Partner Principle" for the operational management and coordination of the project. The Partnership Agreement allows the Lead Partner to extend the liabilities of the Subsidy Contract to the level of each partner.

A model of the Subsidy Contract and Partnership Agreement are available on the website of the Interreg MED Programme (www.interreg-med.eu), to be used for information purposes only.

The Subsidy Contract and the Partnership Agreement are produced via the on line monitoring tool of the Programme, Synergie CTE, after the validation of the consolidated version of the Application Form.

NB: The contract will be signed by the MA only if a version of the Partnership Agreement duly filled-in and signed by the LP and its entire partnership has been made available to the JS.

To do list:

- Get in touch with the project officer for the pre-verifications of the contracts
- Two examples of both documents, the Subsidy Contract and the Partnership Agreement, must be signed in original.
- Both examples of the Subsidy Contract and one of the Partnership Agreement must be submitted together to the JS by regular post.
- After signature of the Managing Authority of both examples of the Subsidy Contract, one version will be kept by the MA/JS and the other one will be sent to the Lead Partner.

The Lead Partner must keep an original of the Subsidy Contract and of the Partnership Agreement as part of the audit trail of the project. A copy is made available to all project partners.

Within three months from the project start, the Lead Partner must send to the Joint Secretariat the **minutes of the first Steering Committee** of the approved project attesting the beginning of the activities and detailing the structures of management that ensure the good performance of the project, as well as the contact person of each partner, following the requirements set by the Programme (please refer to section start up).

[3] Project selected without modification or project selected under conditions after these conditions have been taken into account. And if needed, after validation of the new Application Form by the Interreg MED Programme Steering Committee.

FIGURE 1: SUMMARY OF THE PROCEDURE, FROM THE APPLICATION TO THE START OF THE IMPLEMENTATION