



**CENTRAL
EUROPE**
COOPERATING FOR SUCCESS.



EUROPEAN UNION
EUROPEAN REGIONAL
DEVELOPMENT FUND

Call for applicants

for the constitution of a roster of external experts supporting the
Managing Authority and the Joint Technical Secretariat for the
execution of on-going controls on projects co-financed within the

Operational Programme CENTRAL EUROPE

of the European Territorial Cooperation Objective 2007-2013

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1. INTRODUCTION

1.1. The CENTRAL EUROPE Programme

The CENTRAL EUROPE programme is part of European Territorial Cooperation 2007-2013, a policy framework that supports cooperation between regions in the European Union. CENTRAL EUROPE promotes economic, environmental and social development in Central Europe.

The CENTRAL EUROPE Programme supports cooperation projects between regions that promote economic, environmental and social development by elaborating joint solutions and preparing infrastructure investments in the fields of Innovation, Accessibility, Environment and Competitiveness and Attractiveness of Cities and Regions. It is financed by the European Regional Development Fund (ERDF).

The Programme makes € 231 million available to support projects involving cooperation between national, regional and local actors in the period 2007-2013. The Programme interests regions from 8 Member States and the western border area of Ukraine. The participating countries and regions are listed in the following table.

Austria	The whole country
Czech Republic	The whole country
Germany¹	Baden-Württemberg, Bayern, Berlin, Brandenburg, Mecklenburg-Vorpommern, Sachsen, Sachsen-Anhalt, Thüringen
Hungary	The whole country
Italy¹	Piemonte, Valle d'Aosta/Vallée d'Aoste, Liguria, Lombardia, Provincia Autonoma Bolzano/Bozen, Provincia Autonoma Trento, Veneto, Friuli-Venezia Giulia, Emilia-Romagna
Poland	The whole country
Slovak Republic	The whole country
Slovenia	The whole country
Ukraine	<i>Volyn, Lviv, Zakarpattia, Ivano-Frankivsk, Chernivtsi</i>

Table 1. Countries and regions participating in the CENTRAL EUROPE Programme

The Programme should, hence, play a considerable role in strengthening the development efforts of these countries and their regions, while contributing to an integrated development of the entire programme area by promoting trans-national cooperation projects with mutual benefit, tangible outputs and concrete results.

Target groups are regional, local and national authorities, development agencies, universities and research institutes, chambers of commerce, innovation centres and private actors in the field of innovation, economic development, infrastructure and environment.

¹ For Germany and Italy, national public authorities or public equivalent bodies which are competent in their scope of action for certain parts of the eligible area but are located outside of it (e.g. ministries) are to all effects assimilated to partners located in the CENTRAL EUROPE Programme Area.

1.2. The Programme management bodies

The CENTRAL EUROPE Programme is managed by the following bodies:

- **The Monitoring Committee (MC).** Composed of representatives of the Member States of the Programme, it supervises and ensures the quality and effectiveness of Programme implementation and approves projects for funding.
- **The Managing Authority (MA).** The Managing Authority is responsible for management and implementation of the Programme in accordance with the principle of sound financial management and in line with EU regulations for the management of EU funds.
- **The Certifying Authority (CA).** The Certifying Authority ensures that expenditure complies with European and national rules, and it is responsible for payments to the Lead Partners.
- **The Audit Authority (AA).** The Audit Authority ensures that audits are carried out according to internationally accepted audit standards, in order to verify the effective functioning of the management and control system of the Programme and the eligibility of the expenditure declared to the Commission.
- **The Group of Auditors (GoA).** The Audit Authority is assisted in its tasks by a Group of Auditors comprising of representatives from each Member State participating in the Programme.
- **The Joint Technical Secretariat (JTS).** The Joint Technical Secretariat assists the Managing Authority, the Monitoring Committee and, where appropriate, the Audit Authority in the Programme management, and it provides guidance to project partners and applicants.
- **The Contact Points (CP).** Member States participating in the CENTRAL EUROPE Programme establish Contact Points representing the programme in their countries. Coordinated by the Joint Technical Secretariat, these points aim to complement the activities of the JTS by providing applicants with first information and advice, and by contributing to the dissemination of results achieved.

1.3. Management and Control System of the CENTRAL EUROPE Programme

In compliance with Art. 71 of the Regulation (EC) 1083/2006, the Description of the Management and Control System (DMCS) of the CENTRAL EUROPE Programme describes the procedures established by the Managing Authority with the purpose of ensuring the correctness and regularity of the expenditure declared. Accordingly, expenditure incurred and paid out by beneficiaries may undergo a number of verifications by different actors which can be summarized in:

- **On-going controls:** consisting in control activities carried out by the MA - with the support of the JTS - as a complement of the validation process of the first level control checks, on one side, and for the verification of the proper working of the FLC Systems set at the level of each Member State, on the other.
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- **First Level Control (FLC):** consisting in the validation of expenditure at the level of each beneficiary participating in an approved project. The validation of expenditure includes the verification of the delivery of the products and services co-financed; the reality of the expenditure claimed; the eligibility according to Community, national and Programme rules; the compliance with Community rules on public procurement,

State Aid, publicity and information, protection of the environment and equal opportunities.

- **Audits of projects:** formerly known as second level control checks, they consist in audits of a sample of projects carried out by the Audit Authority and the GoA with the support of an external Audit Company. These audits cover all aspects contributing to the sound financial management of the expenditure co-financed by the Programme.

1.4. On-going controls

On-going controls to be performed by the MA (with the support of the JTS) have, as main objective, on one side the completion of the monitoring tasks under the responsibility of the MA in compliance with Art. 60 of the Regulation (EC) 1083/2006, and the verification of the functioning of the FLC systems established at national level on the other. The on-going controls are organized in five categories, as summarized in the following table.

#	Level of Control	Description	Procedure	Main outputs
1	Existence of the project	Analysis of all relevant outputs delivered by the project in every reporting period (e.g., agenda, minutes and list of participants of meetings held, promotional material, studies, etc).	JTS verifies the project outputs within the analysis of the Progress Reports. It is performed on 100% of projects and partners	JTS Monitoring checklists
2	Verification of FLC documents	Check of the FLC work related to the claimed expenditure. In case of findings, FL Controllers are subject to further plausibility checks (# 3).	JTS performs the analysis of the FLC internal control reports and checklists attached to the 6-monthly PR, on 100% of partners at least at the early stage of project implementation.	JTS Monitoring checklists
3	Plausibility checks of expenditure	Check of invoices and other supporting documents covering, on a random basis, specific expenditure items listed in the financial reports.	JTS asks the relevant documents to the affected partners for the desk analysis. It is performed at least for 5% of projects in each Reporting Period. <u>External experts support to JTS might be required.</u>	FLC checklists and reports by external experts
4	On-the-spot checks	1. To complement desk-checks for the verification of the existence of the project (mainly works). 2. Extended verification of the expenditure validated on a limited number of projects (risk analysis).	JTS performs checks on the spot for projects with works and for projects selected on the basis of a risk analysis. <u>External experts support to JTS might be required.</u>	On-the-spot report and checklist
5	Quality review of centralized systems	Quality review of the work done by centralized FLC systems. In case of findings, further quality reviews are foreseen.	JTS performs on the spot checks at the premises of the centralized FL Controllers at the early stages of payments and at least one additional time before Programme closure	Centralized FLC questionn. and on-the-spot checklist

Table 2. Main characteristics of the five levels of on-going controls

The main results of the on-going controls performed by the MA with the support of the JTS are summarized in a report regularly communicated to the relevant Programme bodies.

2. LEGAL BASIS

For the execution of the services to be provided by the selected experts and described in chapter 3, the **general regulations** applicable to the Structural Funds for the programming period 2007-2013 are applicable:

- Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999, and amendments;
- Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999, and amendments;
- Commission Regulation (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund, and amendments.

In addition to the above, a number of **Regulations, Directives** (including their **national applications**) and **guiding documents** are applicable for the execution of the requested service, in particular with regard to public procurement, State Aid, publicity and information, protection of the environment and equal opportunities. In addition, all **national rules** concerning the eligibility of expenditure within the frame of the Structural Funds 2007-2013 have to be taken into account.

The following **Programme documents** are also applicable for the execution of the requested service²:

- CENTRAL EUROPE Operational Programme (Document CCI 2007 CB 16 3 PO 061), approved by the European Commission on 3 December 2007 [Decision C (2007) 5817];
- Application Manuals of the CENTRAL EUROPE Programme's relevant calls for proposals;
- Implementation Manual of the CENTRAL EUROPE Programme, in its latest version;
- Control & Audit Guidelines of the CENTRAL EUROPE Programme, in their latest version.

3. DESCRIPTION OF THE ASSIGNMENT

As outlined in § 1.4, the MA/JTS need the support of experts in order to execute part of the control work related to the following two on-going control tasks:

- the plausibility checks of expenditure (point 3 in Table 2);
- the on-the-spot checks (point 4 in Table 2).

All services shall be executed under the guidance and coordination of the MA/JTS.

3.1. Support to the plausibility checks of expenditure

Experts shall assist the MA/JTS in executing the checks of the supporting documents of the expenditure which are selected for the verification of their plausibility. In particular, the support needed from the experts refers to the verification of the application of all rules affecting the eligibility of the claimed expenditure:

- a. Verification of the eligibility rules. The experts are required to verify that the expenditure under verification is in line with the eligibility rules set at EU, national and

² Documents are available for download from the Programme website: www.central2013.eu

Programme level for the Structural Funds including, if applicable, the application of national eligibility rules specifically developed for the European Territorial Cooperation Objective and the CENTRAL EUROPE Programme. Among others, the experts are requested to verify the following aspects:

- in case of staff costs, the compliance with the applicable labour laws
 - in case of expenditure related to equipment, the compliance with national rules (including internal rules) on depreciation;
 - in case of expenditure related to investments, the compliance with the applicable rules concerning the protection of the environment;
 - the compliance with the national Tax law, including the verification of the eligibility of VAT if applicable.
- b. Verification of the public procurement procedures. In addition to the points above, and in case of purchase of services or goods, the experts are required to verify the regularity of the public procurement procedure applied by the LPs or PPs for the selection of external experts/providers. In particular, the experts shall verify that all EU, Programme and national public procurement rules are properly applied, including also the verification of the respect of the publicity requirements applicable to the adopted procedures. These checks also include the verification of the cases of sub-contracting to in-house and/or affiliated companies.

Each plausibility check assigned refers to the control of no more than two expenditure items pre-selected by the JTS.

The outputs expected from experts for each plausibility check assigned consist of the provision of the following two documents:

- Plausibility check report³ signed and stamped by the expert;
- Control checklist⁴.

3.2. Support to the on-the-spot checks

Experts shall support the MA/JTS in executing on-the-spot verifications of expenditure at the premises of the LPs and/or PPs of projects selected for verification, according to the following:

- a. Extensive verification of documents. The experts are required to verify that the documents supporting the expenditure under verification are kept according to the requirements ensuring a sound audit trail (at the level of the controlled LPs and PPs).
- b. Verification of the compliance of the expenditure. The experts are required to verify that the outputs corresponding to the expenditure under verification are compliant with all applicable EU, Programme and national rules on eligibility, including the horizontal policies on public procurement, state aid, publicity and information, protection of the environment and equal opportunities.
- c. Verification of the accounting systems. The experts are required to verify, at the level of the controlled LP or PP, the existence and effective functioning of an adequate and reliable accounting system which allows to univocally identify the expenditure related to the project.

Each on-the-spot check assigned (i.e. for each LP or PP to be checked) refers to the control of not more than four expenditure items which are generally pre-selected by the

³ On the basis of a template provided by the JTS.

⁴ Annex 2B to the Control & Audit Guidelines.

JTS. The expected duration of one on-the-spot check is of around half a day. However, the duration of the check performed on-the-spot might vary depending on findings.

The outputs expected from experts for each on-the-spot check performed consist in the following two documents⁵:

- on-the-spot check report signed and stamped by the expert;
- on-the-spot checklist.

Please note that with the term “expenditure item” to be checked by the experts either within plausibility or on-the-spot checks, it is meant any provision of goods, services, work etc. belonging to the Budget Lines in the approved Application Form which has/have been delivered/provided during the reporting period subject to verification.

4. APPLICATION FOR EXPERTS

4.1 Call for applications

In order to build a roster of experts supporting the on-going controls to be carried out on Lead Partners (LPs) and Project Partners (PPs) involved in projects co-financed within the CENTRAL EUROPE Programme the MA/JTS invites persons/companies or other legal entities (further on also referred to as “experts/institutions”) to send their expression of interest. Only those experts/institutions that meet the requirements as set out in this document will be registered and, if required, invited to accept an offer. In such a case a contract for work and services will be offered specifying the tasks and outputs to be delivered in detail. The registration shall not constitute a legal entitlement to receive orders or contract offers.

The selection and contract-award procedure is outlined in section 4.5 of this document.

Experts/Institutions who/that are interested in being included into the roster of experts are invited to submit their application in accordance with the rules set out below.

One same expert/institution is allowed to apply for one or for both types of services specified in chapter 3.

4.2 Profile of the experts

Experts/Employees nominated by institutions must have the following qualification profile:

- hold a university degree, preferably in Finance-related fields, or professional equivalent experience;
- have at least 5 years professional experience (following the award of the university degree) of which at least 2 years of professional experience on control/audit; experience on control/audit of transnational, interregional or other relevant Programmes supported by Structural Funds would be an advantage;
- have a sound knowledge of the European legislation - and in particular of the EU Structural Funds regulations and procedures - as well as of the national legislation and legal requirements for eligibility within the frame of Structural Funds of at least one country participating in the CENTRAL EUROPE Programme;
- have a good knowledge of the CENTRAL EUROPE Programme and its documents;

⁵ Templates provided by the JTS.

- be fluent in speaking, reading and writing in English as well as in a language of at least another country participating in the CENTRAL EUROPE Programme;
- be computer literate.
- Furthermore experts/institutions are expected to meet the legal requirements as outlined in 4.4 of this document.

4.3 Independency and confidentiality

The selected experts must be independent⁶:

- from the project's activities and management;
- from the LPs and PPs subject to controls;
- from the bodies in charge of the First Level Control tasks.

Prior to the commencement of the controls, the selected experts have to provide a declaration stating that they are independent from the CENTRAL EUROPE Projects they are assigned with and that they will inform without delay the JTS if such conflict of interests should emerge during the course of the control work. Conflicts of interests are to be considered as all those conditions where the impartial and objective exercise of the functions of the expert is compromised for reasons involving family, emotional life or political affinity, economic interest or any other shared interest with the project applicants.

Throughout the control process, as well as during the eventual follow up in case of findings, the experts must demonstrate the appropriate devotion to duty and observe the confidentiality of the information and documents brought to their attention during the control work.

4.4 Application

Applications must be submitted via e-mail. The application package is composed of:

- an application form⁷ to be filled in by the candidate; and
- the following documents to be attached :

A. Natural persons/Sole proprietors are asked to submit the following documents:

1. Qualification:

- CV including all data relevant for the assessment.

In case of selection, the following documents will be requested:

2. Qualification:

University diplomas

3. Evidence of licenses:

- A trade licence or another permit for performing the services as described in this document. Failing this, a document or certificate on the registration in the professional or trade register of the country in which the economic operator is

⁶ The independence will be checked once a project is assigned to an expert.

⁷ Available for download from the Programme website: www.central2013.eu.

established or a document on the required membership in a competent organisation.

Failing this, a declaration on honour on the holding the license or permit necessary for performing the services according to the in-force national rules.

4. Evidence of general professional reliability:

- If applicable, a copy of the entry in the business register or a copy of the entry in a professional or trade register in the country in which the economic operator is established.
- Signed declaration for natural persons as outlined in Annex 1. Where statements included in this declaration are not applicable, please declare and provide an explanation.

B. Companies are asked to submit the following documents:

1. Company Profile, Staff

- General description of the company and its goals.
- Company's references. Failing this, contact data of former contract partners.
- List of employees that would be assigned in case of a contract award.

2. Qualification of employees nominated:

- CV of the employees assigned in case of a contract award, including all data relevant for the assessment.

In case of selection, the following documents will be requested:

3. Qualification:

University diplomas of the employees assigned in case of a contract award.

4. Evidence of the company's licenses:

- A trade licence or another permit for performing the services as described in this document. Failing this, a document or certificate on the registration in the professional or trade register of the country in which the economic operator is established or a document on the required membership in a competent organisation.

Failing this, a declaration on honour on the holding by the company of the license or permit necessary for performing the services according to the in-force national rules.

5. Evidence of general professional reliability:

- A copy of the entry in the company or business register or a copy of the entry in a professional or trade register in the country in which the economic operator is established.
- Signed declaration as outlined in Annex 2. Where statements included in this declaration are not applicable, please declare and provide an explanation.

In case a consortium applies, the documents listed above need to be provided by every member of the consortium.

Curriculum vitae have to be provided in the European format⁸ and the file is to be named “CV Last Name” (e.g. “CV Smith”).

Interested applicants are invited to send the relevant documentation in English to the following e-mail address:

info@central2013.eu

In the subject of the e-mail please quote “CENTRAL EUROPE call for experts - on-going controls”.

4.5 Selection procedure

The JTS will build the roster of experts including only those candidates who meet the criteria set out in paragraph 3.2 and 3.3. Only the pre-selected experts will be informed on the results of the selection.

The roster will be valid for no more than 3 years from the date of publication of the present call for experts. Any interested expert/institution may submit an application at any time during the period of validity of the list.

Inclusion in the roster does not constitute a legal entitlement to receive orders and contract offers or any other guarantee for further involvement in the requested services.

Upon the MAs/JTSs needs with regard to support to the execution of the on-going control tasks, the MA/JTS invites the most suitable candidates included into the roster, based on their individual qualification profiles. Invitation of experts will be based on non-discriminatory selection criteria. Accordingly, equal opportunities policy without distinction on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation will be applied.

No contractual relationship will exist unless a written contract offered by the Managing Authority of the programme is signed by both parties to the contract. Remuneration will be paid only upon completion of the tasks and delivery of the agreed outputs as specified in the contract.

Costs incurred with the preparation and submission of applications cannot be refunded.

In case of conclusion of the contract, the Austrian Law applies to all questions and legal relationships between the contracting authority and the contractor and the services have to be provided according to the “General Contractual Provisions for Services (except Construction Contracts) of the City of Vienna - (to be downloaded in German language under <http://www.wien.gv.at/wirtschaft/auftraggeber-stadt/vertragsbestimmungen>).

The contracts shall be awarded in a non-formal procedure according to § 41 Bundesvergabe-gesetz 2006, BGBl. I Nr. 17/2006 and its amendments.

⁸ template can be downloaded from the following link:

<http://europass.cedefop.europa.eu/europass/home/vernav/Europass+Documents/Europass+CV.csp>

5. CONDITIONS FOR THE EXECUTION OF THE ASSIGNMENT

5.1. Place of execution

The place of execution of the assignment described in chapter 3 are the CENTRAL EUROPE eligible countries and regions as listed in paragraph 1.1, with the exclusion of Ukraine.

With regard to the support of the plausibility checks (par. 3.1), the experts might perform the requested services at their own premises. With regard to the services for the support of the on-the-spot checks (par. 3.2), the experts must perform the main part of the requested services at the premises of the LPs and/or PPs selected for verification.

External experts might also be asked to come to the premises of the JTS in Vienna for inception meetings before the start of the control work, as well as in order to discuss the results of their verifications.

5.2. Timeframe of delivery

The timeframe for the delivery of the outputs to the JTS is the following:

- for services to support to the plausibility checks (par. 3.1): three working days from the delivery to the experts of the documents to be verified;
- for services to support to the on-the-spot checks (par. 3.2): three working days from the execution of the check at the premises of the LPs or PPs under control.

Postponements to these deadlines might be granted by the JTS in exceptional cases, to be analyzed on a case by case basis and agreed beforehand based on the quantity of documents to be controlled.

5.3. Working language

All outputs (reports, checklists) prepared by the selected experts, as well as communications to the MA/JTS, shall be in English.

The plausibility and on-the-spot checks shall be carried out by the experts in the national languages of the countries of which the partners to be controlled belong to.

5.4. Tools

The selected experts must deliver the requested outputs by using only the templates provided by the JTS. In addition, experts are expected to use their own computers and any other tool needed for the regular execution of the requested services.

5.5. Fees

The fees for the requested services are calculated on the basis of each single verification performed by the expert, according to the following:

- for plausibility checks (par. 3.1): € 300,- plus VAT for each verification;
- for on-the-spot checks (par. 3.2): € 700,- plus VAT for each verification;

Travel and accommodation costs are not included in the above fees and they will be reimbursed according to the following:

- distance between the working seat of the expert and the place of execution of the assignment up to 10 km: no reimbursement;

- distance between the working seat of the expert and the place of execution of the assignment between 10 km and 100 km: lump sum of € 80;
- distance between the working seat of the expert and the place of execution of the assignment above 100 km: lump sum of € 180.

In case the expert is requested to come to Vienna at the premises of the JTS, travel costs will be reimbursed according to the standard rules that will be defined in the contracting documents (e.g. most economic travel option).

Annex 1:

Declaration for natural persons/sole traders

Declaration

In order to fulfill the requirements of the Public Procurement procedures in Austria and the specific public procurement requirements of the City of Vienna, I declare that

- I agree with the rules for the remuneration for expert services;
- I am registered for the particular activities with an authorized body.
- I hold a valid permit for carrying out the activity which is the subject of this call issued by an authorized body.
- I am allowed to travel and perform these tasks within the territory of the European Union.
- I have not been convicted of a criminal offence, commercial offence or an offence concerning its business activities, that raises doubts about its trustworthiness;
- I have not received an enforceable court or administrative order prohibiting me from carrying out the activity which is the subject of this contract.
- no enforced settlement, bankruptcy or liquidation proceedings have been initiated against me and business activities by virtue of a court decision or some other enforceable decision have not been suspended;
- there are no bankruptcy or liquidation proceedings against me as individual person or any company under my control pending; the same holds for any other legal representative of the company.
- There are no outstanding tax, social security debts or other forms of public taxation and contributions unsettled;
- I possess the necessary financial and economic standing and the possessing sufficient technical capacities.

I agree that my contact details and the fields of expertise table can be shared with other CENTRAL EUROPE actors: yes no

Date and place _____

Name of the signatory _____ Signature_____

Annex 2: Self-declaration for companies or other legal entities:

Declaration

In order to fulfill the requirements of the Public Procurement procedures in Austria and the specific public procurement requirements of the City of Vienna, I declare that

- I agree with the rules for the remuneration for expert services;
- I am registered for the particular activities with the authorized body of the state where the seat of the company is located;
- the company or any of its legal representatives has a valid permit issued by the authorized body for carrying out the activity which is the subject of this contract.
- the company is allowed to perform these tasks within the territory of the European Union.
- neither the company nor one of its legal representatives have been convicted of a criminal offence, commercial offence or an offence concerning its business activities, that raises doubts about its trustworthiness;
- neither the company nor one of its legal representatives have received an enforceable court or administrative order prohibiting it from carrying out the activity which is the subject of this contract.
- no enforced settlement, bankruptcy or liquidation proceedings have been initiated against the company and it has not suspended business activities by virtue of a court decision or some other enforceable decision;
- there are no bankruptcy or liquidation proceedings against the company pending; the same holds for any other legal representative of the company.
- There are no outstanding tax, social security debts or other forms of public taxation and contributions unsettled;
- The company and its staff possess the necessary financial and economic standing and the possessing sufficient technical capacities.

I agree that my contact details and the fields of expertise table can be shared with other CENTRAL EUROPE actors: yes no

Date and place _____

Name of the signatory _____ Signature _____