



# Connecting Europe Facility (CEF)

# Call for proposals

CEF 2 Energy - Projects of Common Interest

CEF-E-2022-PCI

(CEF- E-2022-PCI-WORKS and CEF-E-2022-PCI-STUDIES)

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# EUROPEAN CLIMATE, INFRASTRUCTURE AND ENVIRONMENT EXECUTIVE AGENCY (CINEA)

CINEA.B – Sustainable networks and investments CINEA.B.4 – CEF Energy and Renewable Energy Financing Mechanism

# CALL FOR PROPOSALS

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# **0. Introduction**

This is a call for proposals for EU **action grants** in the field of Energy under the **Connecting Europe Facility (CEF)**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2018/1046 (EU Financial Regulation)
- the basic act (CEF Regulation <u>2021/1153</u><sup>1</sup>).

The call is launched in accordance with the 2021-2023 Work Programme<sup>2</sup> and will be managed by the **European Climate, Infrastructure and Environment Executive Agency (CINEA)** ('Agency').

The call covers the following **topics**:

- CEF-E-2022-PCI-WORKS

# - CEF-E-2022-PCI-STUDIES

**NOTE:** The term 'project' used in this application form and other documents is synonymous to the term 'action' used in the CEF Regulation 2021/1153.

Each project application under the call must address only one of these topics. Applicants wishing to apply for more than one topic, must submit a separate proposal under each topic.

We invite you to read the **call documentation** carefully, and in particular this Call Document, the <u>Model Grant Agreement</u>, the <u>EU Funding & Tenders Portal Online</u> <u>Manual</u> and the EU Grants AGA — Annotated Grant Agreement.

These documents provide clarifications and answers to questions you may have when preparing your application:

- the <u>Call Document</u> outlines the:
  - background, objectives, scope, activities that can be funded and the expected results (sections 1 and 2)
  - timetable and available budget (sections 3 and 4)
  - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
  - criteria for financial and operational capacity and exclusion (section 7)
  - evaluation and award procedure (section 8)
  - award criteria (section 9)
  - legal and financial set-up of the Grant Agreements (section 10)

<sup>&</sup>lt;sup>1</sup> Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility (OJ L 249, 14.7.2021, p. 38).

<sup>&</sup>lt;sup>2</sup> Commission Implementing Decision C(2021) 5791 final of 6.8.2021 concerning the adoption of the work programme for 2021-2027 and the financing decision for the implementation of the Connecting Europe Facility (CEF).

- how to submit an application (section 11)
- the Online Manual outlines the:
  - procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
  - recommendations for the preparation of the application
- the <u>AGA Annotated Grant Agreement</u> contains:
  - detailed annotations on all the provisions in the Grant Agreement you will have to sign in order to obtain the grant (including cost eligibility, payment schedule, accessory obligations, etc).

You are also encouraged to visit the <u>INEA</u> and <u>CINEA websites</u> to consult the list of projects funded previously.

# 1. Background

The REPowerEU plan sets new actions to increase the resilience of the EU-wide energy system in order to phase out our dependency on fossil fuels from Russia well before 2030. For that purpose, it aims to diversify gas supplies and reduce faster our dependency on fossil fuels through the accelerated increase in the share of renewable energy, including hdyrogen and biomethane, and faster reduction in energy demand. It emphasises the necessity to speed up the implementation of infrastructure projects completing the internal energy market with a strong cross-border dimension as to improve the interconnection of the European gas and electricity networks as well as fully synchronise our power grids.

Adequate, well-integrated and reliable energy networks are a prerequisite for a secure, sustainable and competitive internal energy market. The aim of the Connecting Europe Facility Regulation (EU) 2021/1153 is to accelerate investment in the field of trans-European networks and to leverage funding from public and private sectors. While the bulk of the investment needed in the energy sector should be delivered by the market and its costs recovered through tariffs, EU financing may be needed for specific projects with wider regional and European benefits which are unable to attract market-based financing. The European Green Deal has emphasised the key enabling role of energy infrastructure in the transition to a climate neutral economy.

As laid down in Regulation (EU) 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure (TEN-E Regulation), Projects of Common Interest (PCIs) must contribute to at least one of the energy infrastructure priority corridors and thematic areas, feature overall benefits outweighing its costs and meet general and specific criteria in relation to their cross-border impact, market integration, competition, sustainability, security of supply and contribution to the decarbonisation of the energy sector.

According to Regulation (EU) 2021/1153 of the European Parliament and of the Council, establishing the Connecting Europe Facility, in the context and on the basis of the Multiannual Work Programme adopted on 6.8.2021, a call for proposals is launched to support PCIs as defined in the TEN-E Regulation<sup>3</sup> last amended by the

<sup>&</sup>lt;sup>3</sup> Regulation (EU) 347/2013 of the European Parliament and of the Council of 17 April 2013 (i.e."TEN-E Regulation"), see <u>http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex%3A32013R0347</u> last amended by Commission Delegated Regulation (EU) C(2022) 564 of 19 November 2021 (i.e. "PCI list")

Commission Delegated Regulation (EU) 2022/564 of 19 November 2021<sup>4</sup>. Hence, under this call, natural gas infrastructure projects are still eligible. Financial support may be provided to projects contributing to the implementation of PCIs in the form of grants for studies or works.

The revised TEN-E Regulation which excludes fossil fuel infrastructure categories but includes new infrastructure categories such as hydrogen is expected to enter into force in June 2022. The first PCI list under the revised TEN-E Regulation is expected to be adopted in the second half of 2023 after which projects included in the list will be eligible for financial support under CEF.

Considering that the European Green Deal has further emphasized the key enabling role of energy infrastructure in the transition to a climate neutral economy, financial assistance provided under this call for proposals aims to maximise the added value and efficiency of EU funds to support such investments.

# **2.** Objectives — Themes and priorities — Activities that can be funded — Expected impact

#### Objectives (expected outcome)

Both topics under this call aim to enable PCIs to be implemented within the framework of the deployment of trans-European networks in the energy sector. In particular, the call shall contribute to supporting energy infrastructure PCIs that have significant socio-economic benefits and ensure greater solidarity among Member States, but which do not receive adequate financing from the market.

The European Green Deal has emphasized the key enabling role of energy infrastructure in the transition to a climate neutral economy. Projects supported by this call pursue the goals and objectives of the European Green Deal, as well as the Paris Agreement and the 2030 climate and energy targets and long-term decarbonisation objectives. Therefore, financial assistance provided under this call for proposals should maximise its added value towards decarbonisation of the energy sector.

The objective of studies and works is to support and contribute to the implementation of PCIs.

#### Themes and priorities (scope)

Both topics under this call will support the implementation of PCIs within the framework of the deployment of trans-European networks in the energy sector.

As laid down in Regulation (EU) 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure (TEN-E Regulation), PCIs must contribute to at least one of the energy infrastructure priority corridors and thematic areas, feature overall benefits outweighing its costs and meet general and specific criteria in relation to their cross-border impact, market integration, competition, sustainability, security of supply and contribution to the decarbonisation of the energy sector. It is considered that the EU added value of an action related to a PCI is demonstrated by the PCI status itself.

<sup>&</sup>lt;sup>4</sup> Commission Delegated Regulation (EU) 2022/564 of 19 November 2021 amending Regulation (EU) No 347/2013 of the European Parliament and of the Council as regards the Union list of projects of common interest. See: <u>http://data.europa.eu/eli/reg\_del/2022/564/oj</u>

In accordance with Article 20(4) of Regulation (EU) 2021/1153, particular consideration shall be given to PCIs and related projects aimed at further integrating the internal market for energy, ending energy isolation and eliminating electricity interconnection bottlenecks with emphasis on those PCIs contributing to the achievement of the interconnection target of at least 10% by 2020 and 15% by 2030 and PCIs contributing to synchronisation of electricity systems with the EU networks. In line with article 3 (2) b) of Regulation (EU) 2021/1153, this call for proposal puts priority on technologies and PCIs contributing to the decarbonisation of the economy.

#### Activities that can be funded (scope)

#### CEF-E-2022-PCI-STUDIES

This topic refers to projects for studies contributing to the implementation of a PCI. Studies in the meaning of CEF-Energy include activities needed to prepare PCI implementation, such as preparatory, mapping, feasibility, evaluation, testing and validation studies, including in the form of software, and any other technical support measure, including prior action to define and develop a PCI and decide on its financing, such as reconnaissance of the sites concerned and preparation of the financial package.

Only projects contributing to PCIs as identified in the Commission Delegated Regulation 2022/564 shall be eligible for support through EU financial aid in the form of grants. Pursuant to Article 14(1) of the TEN-E Regulation, PCIs falling under the categories set out in Annex II.1, 2 and 4 of the TEN-E Regulation are eligible for EU financial assistance in the form of grants for studies. Please note that failure to comply with the eligibility criteria indicated above will lead to the rejection of the application.

#### CEF-E-2022-PCI-WORKS

This topic refers to projects for works contributing to the implementation of a PCI. Works in the meaning of CEF-Energy include the purchase, supply and deployment of components, systems and services including software, the development, construction and installation activities relating to a PCI, the acceptance of installations and the launching of a PCI.

Only projects contributing to PCIs as identified in the Commission Delegated Regulation 2022/564 shall be eligible for support through EU financial aid in the form of grants.

Pursuant to Articles 14(2) and 14(3) of the TEN-E Regulation, PCIs falling under the categories set out in Annex II.1(a) to (d) and Annex II.2 of the TEN-E Regulation, except for hydro-pumped electricity storage PCIs, are also eligible for EU financial assistance in the form of grants for works if they fulfil all of the following criteria (see also section 5 for documents to be provided...):

- the project specific cost-benefit analysis (CBA), consistent with ENTSOG /ENTSO-E methodology and pursuant to Article 12(3)(a) of Regulation (EU) No 347/2013 provides evidence concerning the existence of significant positive externalities, such as security of supply, solidarity or innovation;
- the PCI has received a legally valid cross-border cost allocation (CBCA) decision pursuant to Article 12 of Regulation (EU) No 347/2013; or, for PCIs falling under the category set out in Annex II.1(c) of Regulation (EU) No 347/2013 and that therefore do not receive a CBCA decision, the PCI shall aim to provide services across borders, bring technological innovation and ensure the safety of cross-border grid operation;

 the PCI is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors or the national regulatory authority. The decision on incentives and its justification referred to in Article 13(2) of Regulation (EU) No 347/2013 shall be taken into account when assessing the PCI's commercial viability. The project-specific CBA and the CBCA decision should be included in the application as standalone documents as well as the business plan. The business plan should be complemented with a separate calculation model (financial spreadsheet), as per application form B.

Pursuant to Article 14(4) of of Regulation (EU) No 347/2013, PCIs falling under the categories set out in Annex II.1(e) and 4 of of Regulation (EU) No 347/2013, i.e. "smart grids and crossborder carbon dioxide networks", are also eligible for EU financial assistance in the form of grants for works, if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the PCIs and their lack of commercial viability, according to the business plan and other assessments carried out, notably by possible investors or creditors or, where applicable, a national regulatory authority.

The contents of the supporting documents and whether the proposed project demonstrates evidence concerning the existence of significant positive externalities, namely security of supply, solidarity or innovation; provides services across borders, brings technological innovation and ensures the safety of cross-border grid operation; or is commercially not viable will be assessed during the evaluation under the applicable award criteria.

The proposals requesting grants for works which fail to provide the relevant supporting documents or that provide supporting documents that are not legally valid at the time of their submission or which fail to comply with any of the eligibility criteria indicated above may not be eligible.

# CEF-E-2022-PCI-STUDIES and CEF-E-2022-PCI-WORKS

Under both topics, only projects in conformity with EU law and which are in line with the relevant EU policies shall be financed, in particular those relating to competition, protection of the environment, state aid and public procurement.

Consideration will be given to the implementation of the Third Energy Package rules (Directive 2009/72/EC; Directive 2009/73/EC; Regulation 714/2009; Regulation 715/2009) for the Member States involved, as relevant to the completion of the proposed project.

Expected impact (expected results)

It is expected that the financial assistance contributes to further the development and the implementation of PCIs, helping to achieve the broader TEN-E energy policy objectives.

As indicated in section 4 of the Annex to the Multi-annual Work Programme, it is expected that the financial assistance contributes to the further development and implementation of PCIs in electricity, smart grids, gas and cross-border carbon dioxide networks helping to achieve the broader CEF energy policy objectives of:

- further integration of an efficient and competitive internal energy market,
- interoperability of networks across borders and sectors,
- facilitating decarbonisation of the economy, promoting energy efficiency and ensuring security of supply;

In accordance with recital 5 of the CEF Regulation (EU) 2021/1153 and in line with the Multi-annual Work Programme, this call for proposals aims at financing projects contributing to the goals and objectives of the European Green Deal, as well as the Paris Agreement and the 2030 climate and enegy targets and the EU's mid-term and long-term objectives in terms of decarbonisation.

#### 3. Available budget

The available indicative call budget is **EUR 800 000 000**.

We reserve the right not to award all available funds or to redistribute them between the call topics, depending on the proposals received and the results of the evaluation.

#### 4. Timetable and deadlines

Timetable and deadlines (indicative)				
Call opening:	18 May 2022			
Deadline for submission:	<u>1 September 2022– 17:00:00 CET</u> (Brussels)			
Evaluation:	September 2022- December 2022			
Information on evaluation results:	February 2023 (at the latest)			
GA preparation and signature:	February 2023 -June 2023 (at the latest)			

#### 5. Admissibility and documents

Proposals must be submitted before the **call deadline** (see timetable section 4).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the <u>Search Funding & Tenders</u> section). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System ( $^{1}$  NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (to be filled in directly online)
- Application Form Part B contains the technical description of the project (to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded)
- mandatory annexes and supporting documents (to be uploaded):

- Detailed budget table per WP (template available in the Submission System)
- CVs of core project team: not applicable
- Annual activity reports (see section 7 for applicability)
- Timetable/Gantt chart
- Agreement by the concerned Member States (Letter of support)
- Environmental compliance file
- List of previous projects (key projects for the last 4 years)(see section 7 for applicability)
- TEN-E compliance form
- Latest PCI annual report in accordance with Article 5(4) of the TEN-E Regulation (Report to ACER) (if available)
- Applicable for works proposals (pursuant to Article 14 of TEN-E regulation):
  - for PCIs falling under the categories set out in Annex II.1(a) to (d) and Annex II.2 of the TEN-E Regulation (except for hydro-pumped electricity storage projects):
    - Full CBA: Project specific cost-benefit analysis, consistent with ENTSOG/ENTSO-E methodology<sup>5</sup> and pursuant to Article 12(3)(a) of the TEN-E Regulation, which provides evidence concerning the existence of significant positive externalities, such as security of supply, solidarity or innovation;
    - Project specific legally valid<sup>6</sup> cross-border cost allocation (CBCA) decision pursuant to Article 12 of the TEN-E Regulation (not applicable for projects under categories in Annex II.1(c));
    - Business plan and other assessments showing that the project is commercially non-viable (the business plan could be complemented with a separate financial spreadsheet template provided)
  - for PCIs falling under the categories set out in Annex II.1(e) and 4 of the TEN-E Regulation, i.e. "smart grids and crossborder carbon dioxide networks"
    - Business plan and other assessments carried out, demonstrating the existence of significant positive externalities (the business plan could be complemented with a separate financial spreadsheet template provided)

Please note that the amounts entered into the summarised budget table (filled in directly online) must correspond to the amounts calculated in the detailed budget table (filled in Excel). In case of discrepancies, the amounts in the online summarised budget table will prevail.

<sup>&</sup>lt;sup>5</sup> The European Network of Transmission System Operators for Electricity (ENTSO-E) and Gas (ENTSOG)

<sup>&</sup>lt;sup>6</sup> The cross-border cost allocation (CBCA) must be fully compliant with the requirements of Article 12 of the TEN-E Regulation and must be still in force (i.e. not expired, cancelled or with ongoing appeals) and display evidence of consultation with other concerned Transmission System Operators and National Regulatory Authorities.

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, exclusion, etc). Before signing the grant, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be **readable**, **accessible and printable**.

Proposals are limited to maximum **120 pages** (Part B). Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (for legal entity validation, financial capacity check, bank account validation, etc.).

For more information about the submission process (including IT aspects), consult the <u>Online Manual</u>.

# 6. Eligibility

# Eligible participants (eligible countries)

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

- be legal entities (public or private bodies)
- be established in one of the eligible countries, i.e.:
  - EU Member States (including overseas countries and territories (OCTs))
  - non-EU countries:

- listed EEA countries and countries associated to the CEF Programme or countries which are in ongoing negotiations for an association agreement and where the agreement enters into force before grant signature (list of participating countries)

Beneficiaries and affiliated entities must register in the <u>Participant Register</u> — before submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status and origin.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc (see section 13).

#### Specific cases

Exceptional funding — Entities from other countries (not listed above) are exceptionally eligible for projects of common interest in the field of transport, energy and digital and for cross-border projects in the field of renewable energy, if the granting authority considers their participation essential for the implementation of the action.

Natural persons — Natural persons are NOT eligible (with the exception of selfemployed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person).

International organisations — International organisations are eligible. The rules on eligible countries do not apply to them.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons<sup>7</sup>.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) can NOT be part of the consortium.

Countries currently negotiating association agreements — Beneficiaries from countries with ongoing negotiations (see above) may participate in the call and can sign grants if the negotiations are concluded before grant signature (with retroactive effect, if provided in the agreement).

EU restrictive measures — Special rules apply for certain entities (e.g. entities subject to EU restrictive measures under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)<sup>8</sup> and entities covered by Commission Guidelines No 2013/C 205/059). Such entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

U For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment and</u> Financial Capacity Assessment.

Consortium composition

– n/a

#### Eligible activities

Eligible activities are the ones set out in section 2 above.

Projects should take into account the results of projects supported by other EU funding programmes. The complementarities must be described in the project proposals (Part B of the Application Form).

Projects must comply with EU policy interests and priorities (such as environment, social, security, industrial and trade policy, etc.).

Financial support to third parties is not allowed.

Geographic location (target countries)

Proposals must relate to activities taking place in the eligible countries (see above).

#### 7. Financial and operational capacity and exclusion

Financial capacity

See Article 197(2)(c) EU Financial Regulation 2018/1046.

<sup>8</sup> Please note that the EU Official Journal contains the official list and, in case of conflict, its content

prevails over that of the <u>EU Sanctions Map</u>. Commission guidelines No 2013/C 205/05 on the eligibility of Israeli entities and their activities in the 9 territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJEU C 205 of 19.07.2013, pp. 9-11).

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents you will be requested to upload in the <u>Participant Register</u> during grant preparation (*e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc).* The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all beneficiaries, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities) or international organisations
- if the individual requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that your financial capacity is not satisfactory, we may require:

- further information
- an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (see below, section 10)
- prefinancing paid in instalments
- (one or more) prefinancing guarantees (see below, section 10)

or

- propose no prefinancing
- request that you are replaced or, if needed, reject the entire proposal.

For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment and</u> <u>Financial Capacity Assessment</u>.

To be noted that, further to the exceptions for applicants to demonstrate the financial capacity provided in section 7, the need to demonstrate financial capacity does not apply to transmission system operators certified following the procedures laid down in Articles 10 or 11 of Directive 2009/72/EC, or Articles 10 or 11 of Directive 2009/73/EC and Joint Undertakings established in the EU which qualify as public bodies.

# **Operational capacity**

Applicants must have the **know-how, qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed together with the 'Quality' award criterion, on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts. If the evaluation of the award criterion is positive, the applicants are considered to have sufficient operational capacity.

Applicants will have to show their capacity via the following information:

- description of the consortium participants
- applicants' activity reports of last year
- list of previous projects (key projects for the last 4 years)

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

Public bodies, Member State organisations, transmission system operators certified under Directives 2009/72 or 2009/73 and international organisations are exempted from the operational capacity check.

# Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate<sup>10</sup>:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct<sup>11</sup> (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decisionmaking- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No <u>2988/95</u> (including if done by persons having powers of representation, decisionmaking- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- created under a different jurisdiction with the intent to circumvent fiscal, social or other legal obligations in the country of origin or created another entity with this purpose (including if done by persons having powers of representation, decisionmaking- or control, beneficial owners or persons who are essential for the award/implementation of the grant).

<sup>&</sup>lt;sup>10</sup> See Articles 136 and 141 of EU Financial Regulation <u>2018/1046</u>.

<sup>&</sup>lt;sup>11</sup> Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to influence decision-making processes or obtain confidential information from public authorities to gain advantage.

Applicants will also be refused if it turns out that<sup>12</sup>:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

# 8. Evaluation and award procedure

The proposals will have to follow the **standard submission and evaluation procedure** (one-stage submission + one-step evaluation).

An **evaluation committee** (assisted by independent external experts) will assess all applications. Proposals will first be checked for formal requirements (admissibility, and eligibility, *see sections 5 and 6*). Proposals found admissible and eligible will be evaluated against the operational capacity and award criteria (3 phases: individual evaluation, consensus phase and panel review) and then ranked according to their scores (*see sections 7 and 9*).

For proposals with the same score a **priority order** will be determined according to the following approach:

- 1. Score obtained under the 'Priority and urgency' criterion
- 2. Score obtained under the 'Maturity' criterion
- 3. Score obtained under the 'Catalytic effect' criterion
- 4. Score obtained under the 'Impact' criterion
- 5. Score obtained under the 'Quality' criterion.

All applicants will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; the other ones will be put on a reserve list or rejected.

No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: *legal entity validation, financial capacity, exclusion check, etc.* 

**Grant agreement preparation** will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant agreement.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are considered to have been accessed and that deadlines will be counted from opening/access (*see also <u>Funding & Tenders Portal Terms and Conditions</u>). Please also be aware that for complaints submitted electronically, there may be character limitations.* 

<sup>&</sup>lt;sup>12</sup> See Article 141 EU Financial Regulation <u>2018/1046</u>.

# 9. Award criteria

The **award criteria** for this call are as follows, where appropriate:

- Priority and urgency: evaluating correspondence of the proposal with the sectoral policy targets, objectives and priorities, notably its contribution to and alignment with achieving the EU 2030 climate and energy targets in view of reaching the climate neutrality objective by 2050 as set out in the European Green Deal, market integration, and where applicable assessing the possible synergies with other sectors (5 points)
- Maturity: assessing the maturity of the project in the PCI development. The criterion will measure, among others, the readiness/ability of the project to start by the proposed start date and to be completed by the proposed end date, the status of the contracting procedures and of the necessary permits (5 points)
- Quality: evaluating the soundness of the implementation plan proposed, both from the technical and financial point of view, the architecture and design approach, the organisational structures put in place (or foreseen) for the implementation, the risk analysis, the control procedures and quality management 5 points)
- Impact: assessing relevant externalities such as security of supply, innovation, and solidarity among Member States as well as the climate impact and, where applicable, the environmental impact involving works. In addition, assessing the need to overcome financial obstacles such as those generated by insufficient commercial viability, high upfront costs or the lack of market finance. Moreover, regarding works, the criterion will assess its cross-border dimension. (5 points)

**NB:** A proposal requesting grants for works needs to demonstrate significant positive externalities in line with the TEN-regulation Art.14 (2.a) and Art 14.4 in order to reach the minimum pass score of 3.

- Catalytic effect: evaluating the financial gap, the capacity to mobilise differentiated investments sources, the capacity to trigger important overall investments with limited EU support and when appropriate the extent to which externalities justify the CEF financial assistance. This criterion shall assess the catalytic effect of the EU financial assistance and determine whenever possible the actual co-funding rate to be granted. (5 points).

Award criteria	Minimum pass score	Maximum score
Priority and urgency	3	5
Maturity	3	5
Quality	3	5
Impact	3	5
Catalytic effect	3	5
Overall (pass) scores	15	25

Maximum points: 25 points.

Individual thresholds per criterion: 3/5, 3/5, 3/5, 3/5 and 3/5 points.

Overall threshold: 15 points.

# **10.** Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant agreement preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and guidance documents) can be found on <u>Portal Reference Documents</u>.

#### Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement (*Data Sheet, point 1*). Normally the starting date will be after grant signature. Retroactive application can be granted exceptionally for duly justified reasons but never earlier than the proposal submission date.

Project duration: up to 31.12.2028 (extensions are possible, if duly justified and through an amendment.

Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

Form of grant, funding rate and maximum grant amount

The grant parameters (*maximum grant amount, funding rate, total eligible costs, etc*) will be fixed in the Grant Agreement (*Data Sheet, point 3 and art 5*).

Project budget (maximum grant amount): projects of any budget are admitted. The grant awarded may be lower than the amount requested.

The grant will be a budget-based mixed actual cost grant (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and costs that were *actually* incurred for your project (NOT the *budgeted* costs). For unit costs and flat-rates, you can charge the amounts calculated as explained in the Grant Agreement (*see art 6 and Annex 2 and 2a*).

The costs will be reimbursed at the funding rates fixed in the Grant Agreement (maximum **50%** for the costs of studies and works, maximum **70%** for the costs of works in outermost regions).

You can apply for a higher project funding rate if your project:

 provides a high degree of regional of EU wide security of supply, strengthens the solidarity of the EU or comprises highly innovative solutions as defined in the <u>TEN-E Regulation</u> ('security of supply/solidarity/innovation'): 75%

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs). For-profit organisations must declare their revenues and, if there is a profit, we will deduct it from the final grant amount (*see art 22.3*).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (*e.g. improper implementation, breach of obligations, etc*).

Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (*Data Sheet, point 3, art 6 and Annex 2*).

Please be aware that project management costs (including related tasks, such as consortium-internal progress meetings, project reporting, etc) should not exceed 10% of total costs for the project. Costs exceeding this limit will be rejected during grant preparation.

Budget categories for this call:

- A. Personnel costs
  - A.1 Employees, A.2 Natural persons under direct contract, A.3 Seconded persons
  - A.4 SME owners and natural person beneficiaries: No
- B. Subcontracting costs
- C. Purchase costs
  - C.1 Travel and subsistence
  - C.2 Equipment
  - C.3 Other goods, works and services
- D. Other cost categories
  - D.1 Financial support to third parties: No
  - D.3 Synergetic elements
  - D.4 Works in outermost regions
- E. Indirect costs: No

Specific cost eligibility conditions for this call:

- personnel costs:
  - average personnel costs (unit cost according to usual cost accounting practices): Yes
  - SME owner/natural person unit cost<sup>13</sup> : Yes
- subcontracting costs:

country restrictions for subcontracting costs: Yes, subcontracted work must be performed in the eligible countries or target countries

travel and subsistence unit cost<sup>14</sup>: No (only actual costs)

<sup>&</sup>lt;sup>13</sup> Commission <u>Decision</u> of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

<sup>&</sup>lt;sup>14</sup> Commission <u>Decision</u> of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

- equipment costs: full cost
- other cost categories:
  - costs for financial support to third parties: not allowed
  - studies: No
  - synergetic elements: Yes
  - works in outermost regions: Yes
  - land purchases: No
- indirect cost flat-rate: 0% of the eligible direct costs (categories A-D, except volunteers costs and exempted specific cost categories, if any)
- VAT: VAT is NOT eligible
- other:
  - in-kind contributions for free are allowed, but cost-neutral, i.e. they cannot be declared as cost
  - project websites: communication costs for presenting the project on the participants' websites or social media accounts are eligible; costs for separate project websites are not eligible

eligible cost country restrictions: Yes, subcontracted work must be performed in the eligible countries or target countries

- other ineligible costs: Yes, costs related to purchase of land

Reporting and payment arrangements

The reporting and payment arrangements are fixed in the Grant Agreement (Data Sheet, point 4 and art 21 and 22).

After grant signature, you will normally receive a **prefinancing** to start working on the project. The amount will be established based on the grant type or estimated project duration at the time of grant signature and will vary between 25% and 50%. The prefinancing will be paid 30 days from entry into force/financial guarantee (if required) — whichever is the latest.

There will be one or more interim payments (with detailed cost reporting).

In addition, you will be expected to submit one or more progress reports not linked to payments.

**Payment of the balance**: At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us — in line with the conditions set out in the Grant Agreement (see art 22).

Please also note that you are responsible for keeping records on all the work done and the costs declared.

#### Prefinancing guarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (*Data Sheet, point 4*). The amount will be set during grant preparation and it will normally be equal or lower than the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are formally NOT linked to individual consortium members, which means that you are free to organise how to provide the guarantee amount (by one or several beneficiaries, for the overall amount or several guarantees for partial amounts, by the beneficiary concerned or by another beneficiary, etc). It is however important that the requested amount is covered and that the guarantee(s) are sent to us in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement.

#### <u>Certificates</u>

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the Grant Agreement (*Data Sheet, point 4 and art 24*).

Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (*Data Sheet point 4.4 and art 22*).

For beneficiaries, it is one of the following:

- limited joint and several liability with individual ceilings each beneficiary up to their maximum grant amount
- unconditional joint and several liability each beneficiary up to the maximum grant amount for the action

or

– individual financial responsibility – each beneficiary only for their own debts.

In addition, the granting authority may require joint and several liability of affiliated entities (with their beneficiary).

Provisions concerning the project implementation

Security rules: see <u>Model Grant Agreement</u> (art 13 and Annex 5)

IPR rules: see <u>Model Grant Agreement</u> (art 16 and Annex 5):

- rights of use on results: Yes

Communication, dissemination and visibility of funding: see Model Grant Agreement

(art 17 and Annex 5):

- communication and dissemination plan: No
- additional communication and dissemination activities: Yes
- special logos: No

Specific rules for carrying out the action: see Model Grant Agreement (art 18 and Annex 5):

- Member State information: Yes
- specific rules for digital infrastructure projects: No
- specific rules for ATM common projects: No
- durability: Yes
- specific rules for blending operations: No

# Other specificities

n/a

# Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).

For more information, see <u>AGA – Annotated Grant Agreement</u>.

# **11.** How to submit an application

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a 2-step process:

# a) create a user account and register your organisation

To use the Submission System (the only way to apply), all participants need to <u>create</u> an EU Login user account.

Once you have an EULogin account, you can <u>register your organisation</u> in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

# b) submit the proposal

Access the Electronic Submission System via the Topic page in the <u>Search Funding &</u> <u>Tenders</u> section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 3 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online.
- Part B (description of the action) covers the technical content of the proposal.
   Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file.
- Annexes (see section 5). Upload them as PDF file (single or multiple depending on the slots). Excel upload is sometimes possible, depending on the file type.

The proposal must keep to the **page limits** (see section 5); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (*see section 4*). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a **confirmation e-mail** (with date and time of your application). If you do not receive this confirmation e-mail, it means your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the <u>IT Helpdesk</u> <u>webform</u>, explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the <u>Online Manual</u>. The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

# 12. Help

As far as possible, *please try to find the answers you need yourself*, in this and the other documentation (we have limited resources for handling direct enquiries):

- Online Manual
- FAQs on the Topic page (for call-specific questions in open calls; not applicable for actions by invitation)
- <u>Portal FAQ</u> (for general questions)
- call information on the <u>CINEA website</u>.

Please also consult the Topic page regularly, since we will use it to publish call updates.

#### Contact

For individual questions on the Portal Submission System, please contact the  $\underline{II}$  <u>Helpdesk</u>.

Non-IT related questions should be sent to the following email address: <u>CINEA-CEF-ENERGY-CALLS@ec.europa.eu</u>.

Please indicate clearly the reference of the call and topic to which your question relates (see cover page).

#### 13. Important

#### 📥 IMPORTANT

- **Don't wait until the end** Complete your application sufficiently in advance of the deadline to avoid any last minute **technical problems**. Problems due to last minute submissions (*e.g. congestion, etc.*) will be entirely at your risk. Call deadlines can NOT be extended.
- **Consult** the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- Funding & Tenders Portal Electronic Exchange System By submitting the application, all participants **accept** to use the electronic exchange system in accordance with the Portal Terms & Conditions.
- **Registration** Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the <u>Participant Register</u>. The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- **Consortium roles** When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.

The roles should be attributed according to the level of participation in the project. Main participants should participate as **beneficiaries** or **affiliated entities**; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. **Associated partners** and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding).

- Coordinator In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- Affiliated entities Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- Associated partners Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- Consortium agreement For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes.

- **Balanced project budget** Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (*e.g.* own contributions, income generated by the action, financial contributions from third parties, etc). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **No-profit rule** Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- No double funding There is a strict prohibition of double funding from the EU budget (except under EU Synergies actions). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances declared to two different EU actions.
- **Completed/ongoing projects** Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before the project starting date/proposal submission).
- **Combination with EU operating grants** Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see <u>AGA</u> <u>Annotated Model Grant Agreement, art 6.2.E</u>).
- **Multiple proposals** Applicants may submit more than one proposal for *different* projects under the same call (and be awarded a funding for them).

Organisations may participate in several proposals.

BUT: if there are several proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw one of them (or it will be rejected).

- **Resubmission** Proposals may be changed and re-submitted until the deadline for submission.
- Rejection By submitting the application, all applicants accept the call conditions set out in this this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be rejected. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- **Language** You can submit your proposal in any official EU language (project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, *see section 12*).

• **Transparency** — In accordance with Article 38 of the <u>EU Financial Regulation</u>, information about EU grants awarded is published each year on the <u>Europa website</u>.

This includes:

- o beneficiary names
- $\circ \quad \text{beneficiary addresses} \\$
- o the purpose for which the grant was awarded
- $\circ$  the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

• **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the Funding & Tenders Portal Privacy Statement.