



**Innovation and Networks Executive Agency**

**CALL FOR PROPOSALS CONCERNING PROJECTS OF COMMON INTEREST UNDER THE  
CONNECTING EUROPE FACILITY IN THE FIELD OF TRANS-EUROPEAN TRANSPORT NETWORK**

**MULTI-ANNUAL WORK PROGRAMME 2014-2020**

**CEF TRANSPORT 2016 - COHESION ENVELOPE**

**Core Network Corridors**

**Other Sections of the Core Network**

**Rail interoperability**

**European Rail Traffic Management System (ERTMS)**

**Innovation and new technologies**

**Safe and Secure infrastructure**

**Single European Sky – SESAR**

**Intelligent Transport Services for road (ITS)**

**Motorways of the Sea (MoS)**

**Nodes of the Core Network**

**Multimodal logistics platforms**

**1. SUBJECT**

In the context of the Connecting Europe Facility (CEF)<sup>1</sup> and on the basis of the multi-annual work programme<sup>2</sup>, a call for proposals is launched under the Cohesion envelope of the CEF.

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<sup>1</sup> Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010, OJ L 348 of 20.12.2013, p.129.

<sup>2</sup> Commission Implementing Decision C(2016) 6388 of 7 October 2016 amending Commission Implementing

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This call for proposals addresses the following objectives of the CEF Regulation:

- Funding Objective 1: bridging missing links, removing bottlenecks, enhancing rail interoperability, and, in particular, improving cross-border sections;
- Funding Objective 2: ensuring sustainable and efficient transport systems in the long run, with a view to preparing for expected future transport flows, as well as enabling all modes of transport to be decarbonised through transition to innovative low-carbon and energy-efficient transport technologies, while optimising safety; and
- Funding Objective 3: optimising the integration and interconnection of transport modes and enhancing the interoperability of transport services, while ensuring the accessibility of transport infrastructures.

## **2. PRIORITIES**

This call for proposals addresses a number of priorities, as described in sections 3.1 to 3.3 of the multi-annual work programme, falling within one of the Funding Objectives of the CEF Regulation described above:

Funding Objective 1:

- Pre-identified projects on the Core Network Corridors (railways, inland waterways, roads, maritime and inland ports);
- Pre-identified projects on the other sections of the Core Network (railways, inland waterways, roads, maritime and inland ports);
- Rail interoperability; and
- European Rail Traffic Management Systems (ERTMS).

Funding Objective 2:

- Deployment of innovation and new technologies in all transport modes, with a focus on decarbonisation, safety and innovative technologies for the promotion of sustainability, operation, management, accessibility, multimodality and efficiency of the network; and
- Safe and secure infrastructure, including safe and secure parking on the road core network.

Funding Objective 3:

- Single European Sky – SESAR;
- Intelligent Transport Services for Road (ITS);
- Motorways of the Sea (MoS);
- Actions implementing transport infrastructure in nodes of the Core Network, including urban nodes; and
- Connections to and development of multimodal logistics platforms.

For proposals submitted under the "Intelligent Transport Services for road (ITS)" priority

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Decision C(2014) 1921 establishing a Multi-Annual Work Programme 2014-2020 for financial assistance in the field of Connecting Europe Facility (CEF) - Transport sector for the period 2014-2020.

(section 3.3.2 of the work programme), where it is mentioned that proposed Actions must "deploy works or pilot activities along the Core Network, including on the Core Network corridors and/ or urban nodes" the following is specified:

Other geographical sections linked to the Core Network may be covered if reasons are duly substantiated. Works/studies on these sections should be described and priced separately in the application. The application should also explain how works/studies on these sections will contribute to the deployment of (C-)ITS on the Core Network.

#### Type of Actions

A proposal submitted under this call must address either works or studies, within the meaning of Article 2(5) and (6) of the CEF Regulation. Proposals may combine studies and works as long as the respective activities and related budget are clearly defined and separated.

The type(s) of actions to be funded are further specified in the description of each specific priority and sub-priority in sections 3.1 to 3.3 of the multi-annual work programme.

In accordance with Article 2(6) of the CEF Regulation, studies may include pilot activities that will serve at least one of the following objectives:

- to develop, improve or adapt a new technology or an innovative solution and implement it in order to test its feasibility and suitability as well as its added value before deploying it on a larger scale;
- to deploy an existing technology, infrastructure or service (i.e. already in use elsewhere but new to a particular sector, system or geographical area) in order to gain experience and/or create market conditions for deployment on a larger scale.

The pilot activities of a study may include the deployment of a certain type of infrastructure or technology but on a limited scale and at a reasonable price and with the objective of testing and validating the viability of the innovative actions proposed for future scale up and roll out. Pilot activities of a study should be of an experimental nature and designed to test the feasibility of an innovative action and its usefulness for future large scale implementation. They should not be associated with research activities that are not covered by this call.

Where a proposed Action under the priority "Innovation and new technologies" (section 3.2.1 of the work programme) entails financial support to third parties, these are subject to additional requirements pursuant to Article 137 of the Financial Regulation<sup>3</sup>, namely the funding scheme must be the primary objective of the proposed Action. In addition, applicants will be requested in the application form to describe the maximum amount to be granted to each third party, the criteria for determining it, the award procedure as well as how the principles of transparency and equal treatment and the provisions of Article 9 of the CEF Regulation will be ensured.

#### Cross-cutting priorities

Where applicable as part of a broader project of common interest, proposed Actions may include activities for the adaptation of TEN-T infrastructure to ensure the continuity of bicycle infrastructure for long-distance cycling paths such as the EuroVelo routes. These activities may include relevant adaptation of traffic signaling systems or the addition of infrastructure dedicated to cyclists and pedestrians, such as tunnels, bypasses, bridges, aerial

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<sup>3</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002.

cycling and walkways and protected cycling paths. They may cover activities extending along TEN-T routes or at crossings between TEN-T routes and long-distance cycling paths.

In combination with other works activities, in particular for railway stations and transport chains, e.g. accessible multi-modal terminals, the scope of the proposed Actions may include activities for improved accessibility to transport infrastructure for persons with disabilities and persons with reduced mobility according to Article 10 (2)(b)(v) of the CEF Regulation.

Increasing the opportunities for private investment to support TEN-T projects is an overarching objective of the CEF Transport programme. For all priorities under this call, in addition to specific objectives, priority will be given to projects that include the use of private finance, in particular the financial instruments available through the European Fund for Strategic Investments, developed by the Commission and implemented by the European Investment Bank.

Proposals for technical, financial and legal studies to develop Public Private Partnerships (PPPs) or other project finance model designed to attract private finance, should seek to::

- define value for money of the PPP procurement versus traditional procurement through a full life cycle assessment;
- assess which risks are most appropriate for transfer to the private sector, with particular attention to financing risks;
- analyse options for both bank and capital markets financing, including in particular the use of EU financial instruments, especially in the case of projects with weak financial viability;
- identify any replicability and standardisation of elements particularly in the procurement procedures and documentation e.g. forms of public-private contract, that could support the development of a 'PPP project pipeline' within an overall investment plan.

Proposals for studies involving PPP project preparations and proposals for works in the context of a PPP procurement procedure should be submitted under the priority that is most relevant to the content and nature of the underlying TEN-T investment(s).

### **3. RESULTS EXPECTED FROM THE FINANCIAL ASSISTANCE**

The results expected under this call are defined in section 5 of the multi-annual work programme.

The implementation of the 2014-2020 multi-annual work programme aims at contributing to the realisation of the transport Core Network by 2030, thereby further enhancing the effectiveness and visibility of the trans-European transport network, while promoting growth and job creation, in line with Europe 2020 Strategy. It is expected that the granting of support on the basis of this programme will contribute to the timely and efficient development of a number of Core Network Corridors in their entirety or in significant parts, will support the realisation of a robust and resource efficient European transport system and will contribute to addressing climate change.

The actions which will be completed with financial assistance allocated under this call will directly contribute to the achievement of important transport policy objectives, such as: the establishment of major interoperable transport axes interconnecting national networks and facilitating the functioning of the internal market; the optimal use of existing infrastructure

capacities; improving the safety and reliability of the network; enhancing accessibility of peripheral areas of the EU; facilitating congestion relief on rail infrastructure and more balanced modal distribution; and savings in terms of the environmental effects of transport, in particular contributing to addressing climate change.

Granting of financial assistance to these actions should help to reach important milestones marking the way towards the completion of the trans-European transport network, as approved by the European Parliament and the Council. EU funding should help to mobilise as much public and private financing as needed to meet the challenging timetables.

#### **4. INDICATIVE BUDGET**

The indicative amount to be allocated on the basis of this call for proposals to projects of common interest in these specified areas is €849.5 million:

Funding Objective 1: €600 million

- €400,000,000 for Pre-identified projects on Core Network Corridors (railways, inland waterways, roads, maritime and inland ports);
- €100,000,000 for Pre-identified projects on other sections of the Core Network (railways, inland waterways, roads, maritime and inland ports);
- €20,000,000 for Rail interoperability;
- €80,000,000 for European Rail Traffic Management Systems (ERTMS);

Funding Objective 2: €69.5 million

- €59,500,000 for Deployment of new technologies and innovation in all transport modes, with a focus on decarbonisation, safety and innovative technologies for the promotion of sustainability, operation, management, accessibility, multimodality and efficiency of the network;
- €10,000,000 for Safe and secure infrastructure, including safe and secure parking on the road core network;

Funding Objective 3: €180 million

- €100,000,000 for Single European Sky – SESAR;
- €20,000,000 for Intelligent Transport Services for road (ITS);
- €20,000,000 for Motorways of the Sea (MoS);
- €20,000,000 for Actions implementing transport infrastructure in nodes of the Core Network, including urban nodes; and
- €20,000,000 for Connections to and development of multimodal logistics platforms.

Budget transfers to and from other priorities within the same funding objective under the multi-annual work programme are permitted.

## 5. TIMETABLE

Date of publication of call for proposals	13 October 2016
Deadline for the submission of proposals	7 February 2017 (17:00:00 Brussels time)
Deadline for the submission of translations (if applicable)	14 February 2017
Evaluation of proposals	February-May 2017 (indicative)
Consultation of CEF Coordination Committee; information of European Parliament	June 2017 (indicative)
Adoption of Selection Decision	July 2017 (indicative)
Preparation and signature of individual grant agreements	As of July 2017 (indicative)

## 6. ADMISSIBILITY REQUIREMENTS

A proposal **will not be evaluated** if at least one of the following situations occurs:

- It is not submitted electronically in the TENtec Information System eSubmission module. In this respect, proposals or part(s) of proposals submitted by email or in hard copy shall not be admissible.
- It is not submitted by the deadline for submission of proposals (*see sections 5. 'Indicative timetable' and 14.2. 'Submission of proposals'*).
- The proposal is incomplete, i.e. any part of the application form (A, B, C or D) is missing.
- The proposal is not duly signed by the applicant(s). Advanced electronic signatures based on a qualified certificate as defined by Regulation 910/2014<sup>4</sup> on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation) and which comply with the signature formats specified in Commission Implementing Decision 2015/1506<sup>5</sup> shall be accepted.

## 7. ELIGIBILITY CRITERIA

### 7.1 Eligible applicants

#### General eligibility criteria

Pursuant to Article 9 and Article 11 of the CEF Regulation, only those proposals submitted by one of the following types of applicants are eligible:

- One or more Member States that are eligible to the Cohesion fund according to

<sup>4</sup> OJ L 257, 28.8.2014, p. 73 ( <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0910&from=EN> )

<sup>5</sup> OJ L 235, 9.9.2015, p. 37 ( <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1506&from=EN> )

Commission Implementing Decision 2014/99/EU<sup>6</sup>;

- With the agreement of the Cohesion Member State(s) concerned, international organisations, joint undertakings, or public or private undertakings or bodies established in an EU Member State.

Proposals may be submitted by entities which do not have legal personality under the applicable national law, provided that their representatives have the capacity to undertake legal obligations on their behalf and offer guarantee for the protection of the Union's financial interests equivalent to that offered by legal persons.

Proposals submitted by natural persons are not eligible.

Third countries and entities established in third countries may participate in actions contributing to projects of common interest where necessary in order to achieve the objectives of a given project of common interest. They may not receive financial assistance except where it is indispensable to the achievement of the objectives of a given project of common interest.

In such cases and pursuant to Article 8(1) of the TEN-T Guidelines<sup>7</sup>, applications may be presented by neighbouring countries or entities established in neighbouring countries, with the agreement of a Member State concerned and eligible to the Cohesion fund.

For multi-applicant proposals a coordinating applicant must be designated.

**Any applicant that cannot provide the agreement of the Cohesion Member State concerned will not be considered eligible.**

Applicants may designate affiliated entities within the meaning of Article 122(2)(b) of the Financial Regulation, for the purpose of supporting the implementation of the action submitted for funding. Such affiliated entities must comply with the eligibility criteria for applicants as specified in Section 7.1 of the multi-annual work programme.

#### Exclusion criteria

In line with Article 106 of the Financial Regulation and Article 141 of the Rules of Application<sup>8</sup>, an applicant will be excluded from participating in the call for proposals procedure if it is in any of the following situations:

- a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
- b) it has been established by a final judgement or a final administrative decision that it is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with

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<sup>6</sup> Commission Implementing Decision (2014/99/EU) of 18 February 2014 setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund and of Member States eligible for funding from the Cohesion Fund for the period 2014-2020 (notified under document C(2014) 974). These are Bulgaria, Croatia, Czech Republic, Cyprus, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovenia and Slovakia.

<sup>7</sup> Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU, OJ L 348 of 20.12.2013, p.1.

<sup>8</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012, OJ L 362, 31.12.2012, p. 1, as last amended by Commission Delegated Regulation (EU) No 2015/2462 of 30 October 2015.

those of the country in which the authorising officer is located or those of the country of the performance of the contract;

- c) it has been established by a final judgement or a final administrative decision that it is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the entity belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
  - i. fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract, a grant agreement or a grant decision;
  - ii. entering into agreement with other persons with the aim of distorting competition;
  - iii. violating intellectual property rights;
  - iv. attempting to influence the decision-making process of the Commission/ the Agency during the award procedure;
  - v. attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- d) it has been established by a final judgement that it is guilty of the following:
  - i. fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
  - ii. corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the authorising officer is located, the country in which the entity is established or the country of the performance of the contract;
  - iii. participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
  - iv. money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;
  - v. terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
  - vi. child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered



following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;

- f) it has been established by a final judgment or final administrative decision that it has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, it is subject to:
  - i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
  - ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
  - iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations;
  - iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law;
  - v. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

Applicants will not be granted financial assistance if, in the course of the grant award procedure:

- i. they are subject to a conflict of interests;
- ii. they are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the grant award procedure or have failed to supply that information;
- iii. find themselves in one of the situations of exclusion, referred to above.

The same exclusion criteria apply to affiliated entities. Applicants and their affiliated entities must certify that they are not in one of the situations listed above.

## **7.2 Eligible actions**

### General eligibility criteria

Only actions concerning Cohesion Member States are eligible for funding under this call.

Only actions which can be identified as projects of common interest as defined in Article 7 of the TEN-T Guidelines and which address pre-identified projects or horizontal priorities listed in Part I of Annex I of the CEF Regulation are eligible under this call.

Proposals concerning *combined railways and ERTMS implementation actions* must relate to the same section within the pre-identified section.

Concerning *inland ports*, core inland ports, as identified in Annex II point 2 of the TEN-T Guidelines, and all inland ports located on a pre-identified section on Core Network Corridor,

as stipulated in Annex I, Part I point 2 of the CEF Regulation, are eligible under this call.

Concerning *maritime ports*, all core maritime ports, as identified in Annex II point 2 of the TEN-T Guidelines are eligible under this call.

For proposals submitted under the priority "Motorways of the Sea" (section 3.3.3 of the work programme), proposals must relate to the horizontal priority in question and must include applicants from (and be supported by) a minimum of two different Member States. Derogation from this eligibility criterion is possible for Motorways of the Sea proposals between a Cohesion Member State and Member State not eligible to the Cohesion Fund. In such case, two separate proposals (twinned) shall be submitted under this call and the MAP General call. Both proposals must make clear reference to the twin proposal in the application form.

In addition, proposals that address the upgrade or establishment of a maritime link must relate at least to either two EU core ports or one core and one EU comprehensive port, as identified in Annex II point 2 of the TEN-T Guidelines, located in two different Member States. Such link may also be extended to a connection with a neighbouring country core or comprehensive port<sup>9</sup> without prejudice to fulfilling the above requirement.

For proposals submitted under the priority "Urban nodes" (section 3.3.4 of the work programme) proposals must be located in one (or several) of the urban nodes listed in Annex II part 1 of the TEN-T Guidelines and/or those listed in Annex II part 2 of the TEN-T Guidelines which are located on a Core Network Corridor.

For proposals submitted under the priority "Multimodal logistics platforms" (section 3.3.5 of the work programme) proposals must be located in one (or several) core airport, core maritime port, core inland port or core rail-road terminal, as identified in Annex II part 2 of the TEN-T Guidelines.

#### Cost Benefit/Cost Effectiveness Analysis

Pursuant to Article 10 of the CEF Regulation, and in view of assessing the economic and financial viability of the proposed projects, all proposals for works or including both studies and works must be accompanied by a cost-benefit analysis (CBA) proposing the co-funding rate requested for the project, while taking into account the maximum funding rates stipulated in the CEF Regulation. Member States are asked to confirm in the application form that a methodology recognised in the respective national context has been used. It is strongly recommended that the Cohesion Policy CBA methodology for Major Projects<sup>10</sup> be used for the CBA in order to simplify the process of project preparation under the CEF and ESIF funds. A proposed Action which concerns a part or a section of a larger project of common interest may be covered by a socio-economic CBA, which includes a financial analysis, for this larger project of common interest.

For projects generating net revenue, the CBA must be accompanied by a calculation of the "funding gap", i.e. the share of the project's costs that is not covered by net revenue.

For proposals submitted under priorities "European Rail Traffic Management System (ERTMS)", "Rail Interoperability" and "Single European Sky – SESAR", all project proposals for 'works' or proposals including both 'studies' and 'works' must be accompanied by a cost-effectiveness analysis only, instead of a CBA.

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<sup>9</sup> According to Commission Delegated Regulation (EU) 2016/758 of 4 February 2016

<sup>10</sup> [http://ec.europa.eu/regional\\_policy/sources/docgener/studies/pdf/cba\\_guide.pdf](http://ec.europa.eu/regional_policy/sources/docgener/studies/pdf/cba_guide.pdf)

For proposals submitted under priority "Intelligent Transport Services for Road (ITS)", all project proposals for 'works' or proposals including both 'studies' and 'works' that address implementation of standards laid down in the existing EU legislation must be accompanied by a cost-effectiveness analysis only, instead of a CBA. Where such proposals address areas not covered by the existing EU standards, they must be accompanied by a cost-benefit analysis (CBA).

Pursuant to Article 22(3) of the CEF Regulation, with a view to monitoring the achievement of climate-change objectives, selected proposals subject to CBA may be designated on the basis of a sampling method to perform an ex-post climate change impact assessment of the proposed Action. For this purpose, applications for works should include an estimate of the costs of such climate change impact assessment. These costs will be considered as studies and will benefit from a co-funding rate that cannot exceed the rate applicable under the Cohesion Fund, i.e. up to 85%. The payment of the balance after the completion of the action will be conditional upon the submission of the completed climate change impact assessment.

#### Cross-border sections

Actions involving a cross-border section or a part of such a section shall be eligible to receive EU financial assistance only if there is a written agreement between the Member States concerned or between the Member State(s) and neighbouring country(ies) concerned relating to the completion of the cross-border section.

#### Twinned proposals

If a multi-applicant proposal concerns an Action for which some parts are entitled to funding under the Cohesion Fund envelope and other parts under the general CEF Transport envelope, the application must be split and each part submitted separately under the relevant Cohesion call or General call. The proposal code or application number and the title of the twinned proposal must be cross-referenced in order to allow clear identification of the two parts in the appropriate part of the application form. Complementary applications will be evaluated jointly to appreciate their common EU added value.

## **8. SELECTION CRITERIA**

The selection criteria are detailed in section 8 of the multi-annual work programme.

The operational and financial capacity of applicants will be assessed as specified below.

The need to demonstrate financial and operational capacity does not apply to applicants which are:

- a Member State,
- a third country,
- a public sector body established in the EU (i.e. regional or local authority, body governed by public law or association formed by one or several such authorities or one or several such bodies governed by public law),
- international organisation<sup>11</sup>,

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<sup>11</sup> According to article 43 (2) of the Rules of Application, international organisations are:

(a) international public sector organisations set up by intergovernmental agreements, and specialised agencies set up by such organisations;  
(b) the International Committee of the Red Cross (ICRC);  
(c) the International Federation of National Red Cross and Red Crescent Societies;  
(d) other non-profit organisations assimilated to international organisations by a Commission decision.

- a European Economic Interest Grouping (EEIG) established in line with Council Regulation (EEC) N° 2137/85 of 25 July 1985, in which at least one member is a public body, or
- a Joint Undertaking in line with eligibility criteria established under Article 187 of the Treaty on the Functioning of the European Union.

The requirement to demonstrate operational and financial capacity also applies to affiliated entities **only where**, according to the proposal, the affiliated entity(ies) will be the only one(s) implementing the proposed Action.

### **8.1 Financial capacity**

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the proposed Action is being carried out and to participate in its funding.

Applicants shall provide their financial statements certified by an external auditor for the last financial year for which the accounts have been closed. If an applicant has been operating for less than one year, the financial statements may be replaced by a letter of support obtained from a third party (for example, the applicant's parent company) or by another applicant of the proposed Action, who shall also provide its own certified financial statements. These documents must be attached to the application.

### **8.2 Operational capacity**

Applicants must have the operational and technical competencies and capacities required to complete the proposed Action for which the grant is awarded. They must provide appropriate documents attesting to that capacity (e.g. organisations' activity report, proof of the experience in carrying out infrastructure projects).

Information submitted by applicants who benefited from TEN-T support as from 2004 or CEF support as from 2014 may be taken into account in the evaluation of these applicants' operational capacity.

## **9. AWARD CRITERIA**

Only admissible proposals compliant with the eligibility criteria will be evaluated against the award criteria.

The award criteria are specified in Section 9 of the multi-annual work programme. For the purpose of the evaluation, these criteria will be grouped in the following four blocks and specified as follows:

- **Relevance.** This refers to the contribution of the proposed Action to the TEN-T priorities as laid out in the TEN-T Guidelines, the funding priorities as laid down in the CEF Regulation and specific priorities and objectives described in the work programme and addressed by the call for proposals. In particular, under relevance, the EU added value of the proposed Action will be considered in light of the definition included in Article 3(d) of the TEN-T Guidelines. In that respect, the highest EU added value is demonstrated when remedying major missing cross-border projects and improving major bottlenecks and other cross-border sections<sup>12</sup>. Where applicable,

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<sup>12</sup> See also Communication from the Commission "Building the Transport Core Network: Core Network Corridors and Connecting Europe Facility", COM(2013)940 final, 07.01.2014.

multimodal integration and interoperability will also be considered as part of the relevance of a proposed Action.

- ***Maturity.*** This refers to the state of preparation of the proposed Action and the readiness to start the implementation of the proposed activities. This will be determined by the degree of completion of preparatory steps and conditions required for the start of the proposed Action. Where the same proposal combines works and studies, the dependence of the works on the completion of the studies will also be taken into consideration. Proposed Actions that have received political commitments, completed a number of administrative procedures and committed financial resources, as well as proposed Actions which involve the final steps of implementation, can be considered as demonstrating strong maturity. Maturity will also be evidenced by low uncertainty/risks about the start of the Action. Proposed Actions should be ready to start, at the latest, within eighteen months after the closure of the call. For proposals addressing innovation and new technologies, the readiness of the technology for deployment will also be considered under this criterion.
- ***Impact.*** This refers to the expected effect of the EU financial support on a financial viability of an economically and socially desirable investment. An assessment will be made of the impact of the financing plan to drive the most efficient use of EU financial support, in particular in the mobilisation of additional private funding. Moreover, on the basis of the socio-economic CBA to be provided for proposed Actions concerning works and/or other related information provided in the application form, the impact of the proposed Action will be assessed in terms of positive socio-economic effects (at local, regional and national level), climate and environmental aspects, improvement of accessibility, etc., as applicable. For studies, the use of the study as a decision-making tool and its impact in terms of policy-making and best practices will also be assessed under this criterion. For proposals addressing innovation and new technologies, the innovative processes to improve the business-model and the business-client relationship will also be considered under this criterion. Moreover, where pilot deployment is part of a proposal, efforts regarding reaching commercial viability and roll-out onto at least part of the TEN-T network will be considered.
- ***Quality.*** This refers to the soundness of the proposed Action. This will be determined by the coherence between the objectives of the proposed Action, the proposed activities, the planned resources, and the appropriateness of the project management processes. Under this criterion, the capacity for the Action to be completed in accordance with the proposed timeline, implementation plans and the technical specifications will be assessed. Other aspects related to the quality of the proposed Action include the soundness of control procedures, quality management and risk management during the implementation of the proposed Action; plans for monitoring, evaluation and internal/external audit of the proposed Action, and publicity regarding the financial support from the CEF. Additionally, the completeness and clarity of the information provided by the applicant(s) will also be taken into account during the assessment of this criterion.

Relevant information for assessing the above blocks of award criteria must be clearly described in the application form.

Each block of award criteria will be given a score between 0 and 5 points (with half-marks allowed). A proposal must obtain at least 3 points for each block of award criteria to be recommended for funding.

When it is considered that a proposal is more relevant to a priority or sub-priority other than that under which it was submitted, the Commission services may propose to transfer the proposal to the priority in question. Such transfer is only carried out during the phase of evaluation of the proposals provided that: (i) the proposal is eligible under the conditions of the funding priority to which it is proposed to be transferred; and (ii) there is written agreement of the applicant(s). In such case, the funding conditions of the funding priority to which a proposal has been transferred shall apply. Such transfer shall not include any other modifications in the proposal. The transfer of a given proposal does not prejudice the results of its evaluation.

## **10. FINAL SELECTION PROCESS**

During the final selection process, the Commission will in particular take into account the following aspects, as appropriate:

- The contribution of the proposed Action to the balanced development of the network,
- The complementarity of the proposed Action with other EU funded projects, in view of optimising the impact of investments already made in the region/country/global project,
- The programming for the European Structural and Investment Funds in order to ensure complementarity between the two sources of funding,
- How the proposed Action fits in the national transport plan in the Member State(s) concerned, where appropriate,
- The comparative EU added value (high, medium, low) of the proposed Action in relation to other proposed Actions, taking into account the respective Cost Benefit Analysis where appropriate,
- Any identified/identifiable risks of double-funding from other Union sources,
- Potential synergies across the different CEF sectors and/or other EU Programmes, notably Horizon 2020, where particular consideration will be given to Actions involving the deployment of innovation and technology developed under the EU's research programmes,
- Budgetary constraints.

In exceptional and duly justified cases, and on the basis of the above-mentioned aspects, the Commission may recommend for funding a proposal that has obtained less than 3 points in one or more blocks of award criteria. In the same way, it may decide to not recommend for funding a proposal that has obtained at least 3 points for each block of award criteria.

Pursuant to Article 11 of the CEF Regulation, until 31 December 2016, the selection of projects eligible for financing under the Cohesion envelope shall respect the national allocations under the Cohesion Fund.

## **11. COMPLIANCE WITH EU LAW**

In accordance with Article 23 of the CEF Regulation, only actions in conformity with EU law and which are in line with the relevant EU policies, in particular, in the areas of

interoperability, environmental protection<sup>13</sup>, competition and public procurement, shall be financed.

## **12. FINANCIAL PROVISIONS**

### **12.1 General principles**

#### *12.1.1 Other sources of financing*

Pursuant to Article 129 of the Financial Regulation, no EU financial aid will be awarded to actions receiving funds from other sources of EU financing. Under no circumstances will the same costs be financed twice by the EU budget.

In that respect, any proposed Action or part thereof that receive or have already received EU funding under the CEF or other EU Programmes (i.e. TEN-T, Marco Polo II, Cohesion Fund, FP7, Horizon 2020, ESIF, etc.) will not be funded under this call.

#### *12.1.2 Non-profit principle*

In accordance with Article 125 of the Financial Regulation, grants shall not have the purpose or effect of producing a profit within the framework of the proposed Action. Where a profit is made, the Commission shall be entitled to recover the percentage of the profit corresponding to the EU contribution to the eligible costs actually incurred by the beneficiary to carry out the proposed Action<sup>14</sup>.

#### *12.1.3 Non-retroactivity*

Pursuant to Article 130 of the Financial Regulation, no grants may be awarded retrospectively for actions already completed. A grant may be awarded for an action which has already begun provided that the applicant(s) can demonstrate the need for starting the action prior to the signature of the grant agreement.

### **12.2 Funding form**

Grants to be awarded further to this call for proposals will take the form of reimbursement of a specified proportion of the eligible costs actually incurred.

#### *12.2.1 Co-funding rates*

In line with Article 11(5) of the CEF Regulation and section 10.2 of the multi-annual work programme, the maximum co-financing rates of EU financial assistance to be granted under this call for proposals shall be those applicable to the Cohesion Fund<sup>15</sup>, i.e. up to 85%.

The Commission reserves the right to award a grant of less than the amount requested by the applicant.

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<sup>13</sup> In particular, but not limited to: the EIA (Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012), SEA (Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, OJ L 197, 21.7.2001), Habitats (Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, OJ L206, 22.7.1992, p.7) and Birds Directives (Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010, p.7), as well as the Water Framework Directive (Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, p.1)

<sup>14</sup> In the meaning of Article 125 of the Financial Regulation, profit shall be defined as a surplus of the receipts over the eligible costs incurred by the beneficiary, when the request is made for payment of the balance.

<sup>15</sup> Regulation (EU) No 1303/2013

In order to ensure efficiency in EU funding interventions, applicants are strongly encouraged to submit applications for actions with a total requested EU contribution to the eligible costs of no less than €500,000 for studies and no less than €1,000,000 for works. Where possible, related actions should be grouped and submitted as one proposal.

#### *12.2.2 Eligible costs*

Eligible costs are costs actually incurred by the beneficiary of a grant which meet all the criteria laid down in Article 126(2) of the Financial Regulation. The same criteria apply to the costs incurred by affiliated entities and implementing bodies.

Applicants should refer to points (3) to (8) of Article 8 of the CEF Regulation concerning the eligibility of costs. The full costs of purchase of equipment and infrastructure which are treated as capital expenditure are eligible under this call.

Costs will be eligible, at the earliest, from the date on which an application is submitted and, at the latest, to the date of completion of the Action, which should be 31 December 2020 at the latest. In reasonable and duly justified cases, for proposals submitted under Funding Objective 1, costs may be considered eligible until 31 December 2023 and can be included in the application.

Pursuant to Article 8(6) of the CEF Regulation, purchase of land could be an eligible cost in within the limits of Article 69(3)(b) of the Common Provisions Regulation (EU) No 1303/2013<sup>16</sup>.

In line with the second subparagraph of Article 8(7) of the CEF Regulation and Article 69(3)(c) of the Common Provisions Regulation, VAT paid by beneficiaries of grants awarded following this call for proposals is eligible except recoverable VAT under national VAT legislation.

The following costs are not eligible (non-exhaustive list):

- Infrastructure maintenance
- Superstructure such as warehouses, new passenger and freight terminals, etc.
- Mobile infrastructure, such as cranes, fork lifts, vehicles, conveyors and other devices for moving freight, etc. unless they are part of a proposal submitted under the priority "Innovation and new technologies", where the costs of mobile equipment are eligible under certain conditions, as described in section 3.2.1. of the work programme
- Infrastructure and facilities for tourism (e.g. cruise ships, cruise ship terminals)
- Acquiring or constructing new vessels and retrofitting of fleets
- Scrubbers, with the exception of exhaust gas cleaning systems on ships operating on short-sea shipping routes outside the SECA area
- Research activities
- Operating costs

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<sup>16</sup> Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006, OJ L 347 of 20.12.2013, p.320.



- Losses
- Overhead costs
- Indirect costs

Ceilings are applicable to eligible costs related to:

- ERTMS deployment, as described in section 3.1.4 of the work programme
- Mobile equipment, as described in section 3.2.1 and 3.3.4 of the work programme
- Activities for improved accessibility to transport infrastructure for persons with disabilities and persons with reduced mobility according to Article 10 (2)(b)(v) of the CEF Regulation; costs of these activities may not exceed in any case 10% of the total eligible costs of works of the proposed Action

Detailed information on eligible and ineligible costs is included in the model grant agreement, which is available on the call webpage.

#### *12.2.3 Payment arrangements*

A first pre-financing payment corresponding to 40% of the first instalment of grant awarded as specified in the grant agreement will be transferred to the beneficiary within 30 days after the last party signs the grant agreement or following the 20<sup>th</sup> of December 2017 whichever is the latest.

Further pre-financing payments may be made upon request and in accordance with the financial needs of the Action.

Requests for interim payments must be submitted at least every two years.

The cumulative amount of all pre-financing and interim payments shall not exceed 80% of the maximum amount of the financial aid awarded.

However, in those cases where the low complexity of the Action may require a simpler payment arrangement, the following payment arrangements may be provided for: a single pre-financing payment corresponding to 40% of the maximum grant amount awarded will be made within 30 days after the last party signs the grant agreement. No interim payment may be made.

In the event that the beneficiary's financial capacity is not satisfactory, the pre-financing payment(s) may be subject to the receipt of a financial guarantee for up to the same amount as the pre-financing payment to be made. The financial guarantee, in euro, shall be provided by an approved bank or financial institution established in one of the EU Member States. When the beneficiary is established in a third country, INEA may agree that a bank or financial institution established in a third country may provide the guarantee if the bank or financial institution is considered to offer equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts will not be accepted as financial guarantees.

The guarantee may be replaced by a joint or several guarantees provided by third parties or by a joint guarantee of the beneficiaries of an action that are parties to the same grant agreement. The guarantee will be released when the pre-financing is cleared against the interim payment, if applicable, and/or the balance of payment(s) made, in accordance with the conditions laid down in the grant agreement.

In the event that the beneficiary's financial capacity is not satisfactory, a limited joint and

several financial liability for recoveries may be applied in accordance with the terms and conditions of the model grant agreement. The final amount of the grant to be awarded to the beneficiary is established after completion of the Action, upon approval of the request for payment including, where applicable, the supporting documents as described in the model grant agreement.

For multi-beneficiary actions, a coordinator must be designated. The coordinator will be the contact point for INEA and will have, *inter alia*, the responsibility for receiving the payment(s) and coordinating the reporting exercise(s). It is strongly recommended that beneficiaries sign an internal cooperation agreement regarding their operation and coordination, including all internal aspects related to the management of the beneficiaries and the implementation of the proposed Action. Such internal cooperation agreements shall not undermine, under any circumstances, the terms and conditions of the model grant agreement.

### **13. MODEL GRANT AGREEMENT**

Applicant(s) will be invited to sign the grant agreement if a proposal is selected for funding. The standard model grant agreement is not negotiable and will be signed in English.

Submitting an application implies the acceptance of the terms and conditions of the model grant agreement, available on the call page. Applicants are invited to carefully read this document and its annexes before submitting an application.

Grants for projects for the implementation of Common Projects of the priority "Single European Sky–SESAR" under Funding Objective 3, will be awarded through Specific Grant Agreements established under the SESAR Deployment Framework Partnership Agreement. The Deployment Manager<sup>17</sup> is to act as coordinator in each of these projects. Applicants who are awarded a grant under this call and are not partners in the SESAR Deployment Framework Partnership will be required to join the SESAR Deployment Framework Partnership, as partners, by signing the Framework Partnership Agreement before being able to sign the Specific Grant Agreements covering their projects.

### **14. PROCEDURE FOR SUBMISSION OF PROPOSALS**

All practical information on this call for proposals and the evaluation process is detailed in the Guide for Applicants. It is available, together with the application forms, model grant agreement, the multi-annual work programme, the CEF Regulation, the TEN-T Guidelines, and other relevant documents, on the call page, accessible via the following link:

<https://ec.europa.eu/inea/connecting-europe-facility/cef-transport/apply-funding/2016-cef-transport-calls-proposals>

Applicants are requested to carefully read all call-related documents, including the instructions given in the Guide for Applicants and other guidance documents and information, in particular the Frequently Asked Questions (FAQ).

#### **14.1 Application forms**

Proposals must be submitted using the application forms provided on the call page at the link above.

Proposals must be signed by the applicant(s) or its duly authorised representative and must be

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<sup>17</sup> <http://www.sesardeploymentmanager.eu/contact/>

perfectly legible so that there can be no doubt as to words and figures. Advanced electronic signatures based on a qualified certificate as defined by Regulation 910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation) and which comply with the signature formats specified in Commission Implementing Decision 2015/1506 shall be accepted.

The applicant(s) specified in the application form part A will automatically be considered as the beneficiary(ies) if the proposal is selected for funding. If applicants designate affiliated entities within the meaning of Article 122 of the Financial Regulation to support the implementation of the proposed Action, the information on these affiliated entities must be encoded in the application form part A, and any relevant supporting documents must be provided.

Applicants must indicate in application form part A to which priority/sub-priority their proposal is submitted. Proposals that include elements of more than one priority/sub-priority must be submitted in the priority/sub-priority to which their content has the highest comparative relevance. In this respect, it is the responsibility of the applicant(s) to assess which priority/sub-priority is better addressed by the nature of the proposal.

## **14.2 Submission of proposals**

Applicants are strongly encouraged to submit their applications in the English language as the evaluation of proposals is entirely conducted in English. Applicants also have the possibility to submit their proposal in another EU official language together with an English translation<sup>18</sup>. The latter will be used for the evaluation.

Proposals must be submitted **electronically** using the TENtec eSubmission module at the following link: <https://webgate.ec.europa.eu/tentec/grant/esubmission/>.

The electronic submission of proposals must be completed at the latest on **7 February 2017 at 17:00.00 Brussels time** (see also Section 6 "Admissibility requirements").

Application form part A is automatically generated by the TENtec eSubmission module. Application form parts B, C and D must be downloaded from the call page at the link above and duly filled in. Once final, these must be uploaded into the TENtec eSubmission module. The same applies to any annexes or supporting documents accompanying the proposal. Application form part D may not exceed 40 pages.

Any parts of the application form that require signatures of applicants or relevant authorities must be scanned and uploaded into the TENtec eSubmission module. Advanced electronic signatures based on a qualified certificate as defined by Regulation 910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation) and which comply with the signature formats specified in Commission Implementing Decision 2015/1506 shall be accepted.

Applicants must be able to provide the original documents and send them to the Commission/Agency services upon request.

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<sup>18</sup> The Commission will reimburse the translation costs resulting from the translation into English of a proposal submitted in response to this call, for a maximum amount of €1500 per proposal, provided that the translation was submitted before the specified deadline. Please see the Guide for Applicants for details on the reimbursement procedure.

## **15. COMMUNICATION ON THE CALL FOR PROPOSALS**

Further information or clarifications on this call for proposals will be published on the call page at the following link: <https://ec.europa.eu/inea/connecting-europe-facility/cef-transport/apply-funding/2016-cef-transport-calls-proposals>.

Applicants are invited to regularly consult this page and the INEA website/Twitter feed (@inea\_eu) regularly until the deadline for submission of proposals.

Any additional specific questions related to this call may be addressed to the call helpdesk: [INEA-CEF-transport-calls@ec.europa.eu](mailto:INEA-CEF-transport-calls@ec.europa.eu).

Answers to submitted questions will be published in a FAQ list on the call page, to ensure equal treatment of all potential applicants. Questions related to the call should be submitted at least by 24 January 2017 to ensure sufficient time for the last update of the FAQs by 31 January 2017.

Questions which are specific to a particular proposal and where the answer would provide a comparative advantage to the applicant will not be answered.

However, individual technical questions related to TENtec eSubmission module will be treated until the call deadline.

## **16. PROCESSING OF PERSONAL DATA**

An applicant's reply to the grant application involves the recording and processing of personal data (such as name, address and CV), which will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, applicant's replies to the questions in the application form and any personal data requested are required to assess an applicant's grant application in accordance with the specifications of the call for proposals and will be processed solely for that purpose by INEA as data controller for this purpose. An applicant may, upon request, have his/her personal data sent to him/her and rectify any inaccurate or incomplete particulars. Should an applicant have any queries concerning the processing of his/her personal data, please address them to the entity acting as data controller within INEA.

The data subjects have the right of recourse at any time to INEA's Data Protection Officer ([INEA-DPO@ec.europa.eu](mailto:INEA-DPO@ec.europa.eu)) or in case of conflict with the Controller or data protection officer concerning the processing of his/her personal data, an applicant has the right to submit a complaint at any time directly to the European Data Protection Supervisor ([www.edps.europa.eu](http://www.edps.europa.eu)). Details concerning the processing of an applicant's personal data are available in the privacy statement on the call page: <https://ec.europa.eu/inea/connecting-europe-facility/cef-transport/apply-funding/2016-cef-transport-calls-proposals>.

Personal data included in the application (name, title, organisation, contact information) may be shared with the concerned Member States' representatives in the CEF Coordination Committee on a need to know basis in view of their role in the approval of proposals selected for funding as well as responsibilities under the CEF Regulation.

An applicant personal data (name, given name if natural person, address, legal form, registration number and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered by the Accounting Officer of the Commission in the Early Detection and Exclusion System (EDES) established by the Commission pursuant to Article 108(1) of Regulation (EU, Euratom) No 966/2012 on the

financial rules applicable to the general budget of the Union, as amended by Regulation (EU, Euratom) No 2015/1929 (OJ L 286, 30.10.2015, p. 1).

For more information on EDES (including the grounds for being registered in the database), please see [http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm) ,

and the privacy statement at [http://ec.europa.eu/budget/library/explained/management/protecting/privacy\\_statement\\_edes\\_en.pdf](http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf) .

Applicants are informed that, to ensure that the EU's financial interests are protected, their personal data may be communicated to internal audit services, the European Commission, the European Court of Auditors, the body specialising in financial irregularities (Financial Irregularities Panel) or the European Anti-Fraud Office (OLAF).

The data of applicants in any of the situations referred to in Articles 106(1), 107 and 109(2)(a) of the Financial Regulation may be included in a central exclusion database and communicated to designated persons in the Commission, the other institutions, agencies, authorities and bodies referred to in Article 108(1) and (2) of the Financial Regulation. This also applies to those with powers of representation, decision-making power or powers of control in respect of such applicants. Following a request to the Commission's Accounting Officer, anyone registered in the database is entitled to be informed of the data recorded about them.

## **17. IMPORTANT DOCUMENTS**

In preparing an application, applicants should refer to all of the following documents, which are available on the call page:

- Multi-annual work programme
- CEF Regulation
- TEN-T Guidelines
- Commission Delegated Regulation (EU) 2016/758
- Application form (parts A, B, C and D)
- Guide for Applicants
- FAQs published on the call page
- Application checklist
- Model grant agreement
- EU Financial Regulation and Rules of application
- Decision on personnel costs<sup>19</sup>
- Cohesion Policy CBA methodology for Major Projects

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<sup>19</sup> Commission Decision C(2016)478 final of 3.2.2016 on the reimbursement of personnel costs of beneficiaries of the Connecting Europe Facility