

Compliance with subcontracting and award of procurement contracts Projects of Call 2019

As beneficiary you may have resorted to subcontracting for specific services requiring specialised skills. In all cases, tasks to be subcontracted have to be identified in the project proposal and the estimated amount entered in the requested budget. Subcontracting initially not foreseen in the budget will need prior written approval from the National Agency (NA) during project implementation.

Rules to comply with:

- ✓ Recourse to subcontracting is in accordance with Article II.11 (*Subcontracting of Tasks Forming Part of the Project*) of the General Conditions.
- ✓ Subcontracting only covers the implementation of a limited part of the project.
- ✓ Subcontracting has to be related to services that cannot be provided directly by the participating organisations for duly justified reasons.
- ✓ Equipment cannot concern normal office equipment or equipment normally used by the participating organisations.
- ✓ In the case of equipment purchase, rental or lease only the amount corresponding to the share of time of the use of the equipment for the project can be claimed. Cost related to the depreciation of equipment or other assets (new or second-hand) shall be calculated by reference to the cost recorded in the accounting statements of the beneficiaries, provided that the asset has been purchased in accordance with Article II.10 (*Award of Contracts Necessary for the Implementation of the Project*) of the General Conditions and that it is written off in accordance with the international accounting standards and the usual accounting practices of the beneficiary.
- ✓ Recourse to subcontracting is justified because of the nature of the Project and what is necessary for its implementation.
- ✓ In the event of subcontracting over € 60.000, the beneficiaries must obtain competitive tenders from at least three suppliers and retain the one offering best value for money, observing the principles of transparency and equal treatment of potential contractors and taking care to avoid conflict of interest.
- ✓ The beneficiaries may not split purchase of services into smaller contracts below threshold.
- ✓ The beneficiaries shall ensure that any procurement contract contains provisions stipulating that the contractor has no right vis-à-vis the NA under the Agreement.

To ensure that the applicable subcontracting and procurement rules have been correctly applied, please answer the following questions:

1. Did you subcontract for specific services:

- YES
 NO

If YES, please continue to question 2, if NO, please sign the declaration below.

2. Did you subcontract for specific services for a total amount exceeding a value of € 60.000:

- YES
 NO

If YES, please continue to question 4, if NO, please continue to question 3.

3. Did you comply with the following subcontracting rules & regulations:

- You ensured that the conditions applicable to you under Articles II.4 (*Liability for Damages*), II.5 (*Conflict of Interests*), II.6 (*Confidentiality*), II.8 (*Visibility of Union Funding*), II.9 (*Pre-Existing Rights and Ownership and Use of the Results*), and II.27 (*Checks, Audits and Evaluations*) of the General Conditions are also applicable to the contractor.
- You did not split purchase of services and/or goods into smaller contracts below the threshold.
- If applicable: in case of equipment purchase, you complied with the before mentioned rules.

4. Did you comply with the following procurement rules & regulations:

- You have obtained competitive tenders from at least three suppliers and retained the one offering best value for money, observing the principles of transparency and equal treatment of potential contractors and taking care to avoid conflict of interest.
- You ensured that the conditions applicable to you under Articles II.4 (*Liability for Damages*), II.5 (*Conflict of Interests*), II.6 (*Confidentiality*), II.8 (*Visibility of Union Funding*), II.9 (*Pre-Existing Rights and Ownership and Use of the Results*), and II.27 (*Checks, Audits and Evaluations*) of the General Conditions are also applicable to the contractor.

KA2 Grant Agreement number:

Name coordinating institution:

Name Legal Representative:

Date:

Signature:

PLEASE UPLOAD THIS SIGNED DECLARATION AS AN ANNEX WITH YOUR FINAL REPORT IN THE MOBILITY TOOL+