

**NOTICE OF CALL FOR PROPOSALS WITH A VIEW TO OBTAINING A  
GRANT FOR ACTIONS TO IMPROVE THE TRAINING OF CONTROL  
OFFICERS RESPONSIBLE FOR THE CONTROL OF COMMUNITY LAW  
CONCERNING INTERNATIONAL ROAD TRANSPORT**

**Call for proposals DGTREN/E1/SUB-266-2009**

**1. CONTEXT**

Community legislation has laid down important parts of the rules in the field of road transport. This concerns in particular the rules on driving time and rest periods which are defined by Regulation (EC) No 561/2006 and which are directly applicable throughout the European Union. A harmonised application of this legislation throughout the EU is a prerequisite ensuring the same social standards and for equal competition conditions.

However, the control of this Community legislation is a responsibility of the Member States. It appears from contacts with industry and trade unions that the control is carried out sometimes in different ways in the different Member States as regards procedures and application of the community law. A study carried out for DG TREN in 2006 showed in addition the great variety of approaches on the control and on the training of control officers.

For a more harmonised application of the Community legislation, a more harmonised approach on training of control officers in the different Member States would be beneficial. Therefore, the Commission launched this initiative in order to support actions aiming at improving and harmonising the training of control officers. These actions should raise consciousness in the Member States of the importance of training of control officers and provide them with basic, harmonised tools for this training.

Information on this Call for proposals is available on the DG TREN website at the following address:

**[[http://ec.europa.eu/transport/grants/index\\_en.htm](http://ec.europa.eu/transport/grants/index_en.htm)]**

**2. SOURCES OF FUNDING**

The actions selected will be co-financed from the budget line “Support activities to the European Transport policy and passenger rights” (06.0203).

**3. ESTIMATED TOTAL AMOUNT FOR THIS CALL**

The estimated total amount for the action(s) is EUR 300.000.

#### **4. PERCENTAGE OF COMMUNITY CO-FINANCING**

The grants are intended as incentives for carrying out action(s) which could not be executed without Community financial support, and they reflect the principle of co-financing.

The Commission therefore plans to grant only funds which are complementary and subsidiary to contributions made by the beneficiary, the national, regional or local authorities and other bodies. Accordingly, the maximum amount granted will be up to 75%. Contributions in kind are not regarded as eligible costs.

#### **5. OBJECTIVES AND EXPECTED RESULTS**

##### Objectives:

The objective of this call for proposal is to assist the development of harmonised training modules, covered by a curriculum, for officers responsible for monitoring the application of the Community acquis in the field of road transport, in particular the social legislation relating to road transport. These modules will be designed to harmonise and improve the approach taken with regard to monitoring Community legislation.

##### General condition and expected results

- The action should lead to the creation of training modules and a generally applicable curriculum for control officers of European road transport legislation; the modules and the curriculum should be designed to be easily adaptable to the national organisational and legal situation in all Member States in order to improve and harmonise training of control officers.
- The modules should be designed for the initial and continuous training of control officers throughout the EU. Translation into different Community languages of the relevant materials should be envisaged.
- The action should include the dissemination and exploitation of the results. Results should be transferred to the relevant authorities in the Member States. Ideally, the action should include training of the (national) trainers. The action should also provide for a plan what activities are foreseen after the end of the project.
- The action should from the outset establish an evaluation plan. A report on the evaluation of the works carried out during the duration of the action will be submitted as part of the Final report.
- The action should plan for consultation of an advisory board composed of interested stakeholders external to the action. The consultation should take place for key deliverables at regular intervals. Members of the advisory board will be co-opted with the Commission services. Resources for reimbursing the travel expenses of 10 members of the advisory board for at least 2 meetings should be planned.

##### Formal conditions:

The reports according to Article I.5 of the Grant Agreement shall be submitted in English language, in any case in paper and electronic formats. The final technical implementation report will include a complete description of the work and the results achieved.

Three copies of the reports shall be supplied on paper form and one copy in electronic form, either in MS Word or in HTML format.

The Commission may publish the results of the action and necessary data in order to allow a reproduction of successful approaches. For this purpose, the applicant must ensure that there are no restrictions based on confidentiality and/or intellectual property rights. All confidential information should be provided in a clearly labelled annex to the public report.

## **6. ELIGIBILITY OF COSTS:**

The Commission is ready to support operations of a maximum duration of 24 month. Eligible costs can be incurred only after signature of the grant agreement by all the parties.

Purchase costs of equipment (new or second-hand) are eligible costs, provided that it is written off in accordance with the tax and accounting rules applicable to the beneficiary and to its partners and generally accepted for items of the same type. Only the portion of the equipment's depreciation corresponding to the duration of the action and the actual rate of use for the operation may be taken into account by the Commission.

Certain tasks can be subcontracted if the beneficiaries do not intend to carry them out themselves. If so, rules provided by Article II.9 of the Grant Agreement apply. Contracts awarded to subcontractors should only cover the execution of a limited part of the action. Reasons must be given for contracting out implementation work. The tasks concerned and the estimated costs must be set out clearly in the application.

## **7. ELIGIBILITY CRITERIA**

### **7.1. Legal status of applicants:**

Eligible are proposals submitted in writing by one of the following types of applicants:

- A public authority applying also on behalf of several public authorities in other Member States
- Several public authorities applying jointly as co-beneficiaries
- Private undertakings and public authorities applying jointly, if at least one co-beneficiary is a public authority

Project proposals submitted by natural persons are not eligible. Applicants (other than public authorities) must show that they exist as a legal person, by providing a certified true copy of their articles of association or equivalent.

In no case, projects proposals submitted by third countries or legal or natural persons established outside EU countries can be beneficiaries of the funds.

### **7.2. Grounds for exclusion**

Applications will not be considered for a grant if the applicants are, at the time of the grant award procedure, in any of the following situations:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning professional conduct by a judgment which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the authorising officer or those of the country where the grant agreement is to be performed;
- e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation<sup>1</sup> for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procurement procedure or by the authorising officer as a condition of participation in the grant award procedure, for failing to supply this information or for having been declared to be in serious breach of their obligations under contracts or grants covered by the budget;
- g) they are subject to a conflict of interest;
- h) they have been guilty of misrepresentation in supplying the information required or have failed to supply this information;
- i) they have been excluded from the contracts and grants financed by the Community budget, in accordance with Article 96(2) lit. a of the Financial Regulation.

2. The cases referred to in point 7.2. e) cover:

- a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995<sup>2</sup>;
- b) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by the Council Act of 26 May 1997<sup>3</sup>;

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<sup>1</sup> Council Regulation (EC, Euratom) n° 1605/2002 of 25 June 2002 on the Financial regulation applicable to the general budget of the European Communities, OJ L 248 of 16 September 2002, p. 1, amended by Council Regulation (EC, Euratom) n° 1995/2006 of 13 December 2006, OJ L 390 of 30 December 2006, p. 1.

<sup>2</sup> OJ L 316, 27.11.1995, p. 48.

- c) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council<sup>4</sup>;
- d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC<sup>5</sup>.

**Applicants must certify that they are not in one of the situations listed in point 7.2.**

Grant applicants and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- the Commission Decision of 16.12.2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ, L 344, 20.12.2008, p. 125), or
- the Commission Regulation of 17.12.2008 on the Central Exclusion Database – CED (OJ L 344, 20.12.2008, p. 12),

their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the EWS only or both in the EWS and CED, and communicated to the persons and entities listed in the above-mentioned Decision and Regulation, in relation to the award or the execution of a procurement contract or a grant agreement or decision.

### **7.3. Administrative and financial penalties**

Without prejudice to the application of penalties laid down in the Grant agreement, applicants and beneficiaries who are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procurement procedure or by the authorising officer as a condition of participation in the grant award procedure, who have failed to supply this information or who have been declared to be in serious breach of their obligations under contracts or grants covered by the Community budget may be subject to administrative or financial penalties, in accordance with Article 96(1) of the Financial Regulation.

### **7.4. Eligible projects**

No Community financial aid shall be awarded for parts of projects receiving funds from other sources of Community financing.

## **8. SELECTION CRITERIA**

The applicants must have access to solid and adequate funding sources, so as to be able to maintain activities for the period of the action funded and to help finance the action.

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<sup>3</sup> OJ C 195, 25.6.1997, p. 1.

<sup>4</sup> OJ L 351, 29.12.1998, p. 1. Joint action of 21 December 1998 on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union.

<sup>5</sup> OJ L 309, 25.11.2005, p. 15-36. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (Text with EEA relevance).

The applicants must have the professional skills and qualifications required to complete the proposed action.

### **8.1. Financial capacity of applicants**

Applicants must show that they have the financial capacity to carry out the action for which the grant is sought and must provide their balance sheet for the last financial year for which the accounts have been closed. The last of these provisions does not apply to public bodies.

Applicants must provide evidence for availability of the financing resources needed, apart from the co-financing of the EU required, in particular as far as own resources of the applicants and his partners, public funding and bank loans are concerned.

Applicants must fill in the form relative to legal entities, available on the following website: [http://ec.europa.eu/budget/execution/legal\\_entities\\_en.htm](http://ec.europa.eu/budget/execution/legal_entities_en.htm) .

### **8.2. Technical capacity of applicants**

#### **Technical and professional capacity – means of proof required**

Applicants must have the technical capacity and the operational capability to carry out the action to be supported. They must provide evidence of their knowledge and experience both in the field of vocational education and training and in the field of European road transport legislation, in particular the social legislation (Regulation (EC) No 561/2006, Regulation (EEC) 3821/85, Directive 2006/22/EC, Directive 2002/15/EC), the national application of this legislation and the control through national authorities.

Applicants must provide detailed curriculum vitae in English language of the team and demonstrate the managerial capabilities of the project director and manager, including his or her educational background, degrees and diplomas, professional experience, research work and publications. Descriptions of projects and activities undertaken in the last three years and more particularly of projects related to the relevant issue have to be submitted.

Applicants must demonstrate that national competent authorities or relevant enforcement bodies in several Member States have committed themselves to participate in the project with view to using the results of the project. They must provide evidence of the contacts and organisations that they intend to consult and whose resources they intend to draw-upon in the course of the execution of the action.

## **9. CRITERIA FOR THE AWARD OF THE GRANT**

The operation supported must be designed to further the objective referred to in point 5 above. The Commission will base the choice of one or more actions, (this is not a tender) and the rate of Community co-financing on the basis of the following criteria:

### **1) Quality of the action:**

- *European dimension*: the Commission will assess the extent to which the proposed action will contribute and create genuine added value to the common transport policy and lead to a more harmonised approach on controls. Initiatives of local interest are excluded. (20%)

- *Multiplier effect*: the Commission will assess the extent to which the proposed action will allow the application, dissemination and exploitation of results, including the training of trainers. The assessment will also include the sustainability of the action and the activities foreseen after the end of the project. (35%)
- *Cost-effectiveness ratio*: the budget, broken down by category of expenditure, must demonstrate a good cost-effectiveness ratio for the action (balance between the expected results and the amount of the grant). Applicants should show how they exploit existing practices. (15%)
- *Visibility*: the description of the action must include the means by which the Community action will be made visible (publications, organisation of events, websites, CD-ROMs, etc.). (10%)

## 2) Presentation of the application

- *Work plan and methodology*: The organisation of the action must be described in detail the work plan (clarity and coherence of the objectives, adequacy of the expected results) and schedule as well as proposed methodology for achieving the objectives set out in point 5 above. The implication of relevant national authorities and stakeholders will be assessed. (20%)

Only proposals that have reached a total score of a minimum of 75 % and a minimum score of 60% for each criterion will be taken into consideration for awarding the grant.

The evaluation of eligible proposals which fulfil the selection criteria is carried out using a single-stage submission (that is the full proposal is submitted), where the full proposal will be evaluated by an Evaluation Committee, composed of officials of the European Commission. This Committee draws up a list of projects for which a support is proposed.

## 10. GENERAL CONDITIONS FOR AWARDING GRANTS

The general conditions for awarding grants, particularly the definition of the eligible costs and the methods of payment, are set out in the draft grant agreement available at the Internet address mentioned in point 1<sup>6</sup>. Applicants must compulsorily take notice of this document and must take into account the conditions for awarding grants when drawing up their proposal.

For all applications for pre-financing of over €100 000, a financial guarantee equivalent to the amount pre-financed will be required. In addition, the Commission reserves the right to require a financial guarantee for pre-financing amounts of under €100 000.

The budget for the action attached to the application must have revenue and expenditure in balance and show clearly the costs which are eligible for financing from the Community budget. Therefore, applicants must provide a detailed breakdown of all expenditure related to their proposal.

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<sup>6</sup> The draft agreements available at the Internet address mentioned in point 1 are drafts which can be subject to changes. Please check regularly the Internet address for updates.

The Commission will only recognise the cost of entities having signed the grant agreement, whether as beneficiary or as co-beneficiary. It will no longer accept the co-financed participation of third parties to the grant agreement, when they are neither beneficiaries, nor co-beneficiaries, unless they are subcontractors, the costs of which are taken into account when considering the beneficiaries or co-beneficiaries.

The Commission services would welcome applications in English and in any case a summary and an overview table in English.

## **11. SUBMISSION OF APPLICATIONS FOR A GRANT**

Applications must be made only using the **model application form available at the Internet address mentioned in point 1**. For each application, **one signed original and five copies as well as an electronic version** must be supplied by the organisation coordinating the action. Partners must fill in the sections B (information about each applicant) and C (declaration by each applicant) of the application form.

The form relative to legal entities, available from the website mentioned in point 8.1, must also be filled in.

Any unsigned applications will be rejected when the applications are opened.

## **12. CLOSING DATE FOR SUBMISSION OF APPLICATIONS FOR A GRANT**

### **12.1. Grant applications can be sent in two ways:**

#### **(a) either sent by registered mail or by private courier**

The proposal must be sent by registered mail or by private courier, dispatched not later than 15 September 2009 (the postmark or the receipt issued by the courier service serving as proof of the dispatch) to the following address:

#### **By registered mail**

European Commission  
Directorate-General Energy and Transport  
DM 28 - 0/110 - Archives  
B-1049 Brussels  
Belgium

With the mention “call for proposal Unit E.1”

#### **By private courier**

European Commission  
Directorate-General Energy and Transport - DM 28 - 0/110  
Avenue du Bourget 1  
B-1140 Brussels (Evere)  
Belgium

With the mention “call for proposal Unit E.1”

(b) **or delivered by hand**

Proposals delivered by hand must be submitted at the **Central Mail of the European Commission** with the mention “Call for proposal DG TREN Unit E.1” by 15 September 2009 **not later than 3 p.m.** (Brussels time), at the following address:

European Commission  
Directorate-General Energy and Transport – DM 28 0/110  
Avenue du Bourget 1  
B-1140 Brussels (Evere)  
Belgium

In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Commission's central mail department who took delivery. The department is open from 08.00 to 17.00 Monday to Thursday, and from 8.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays and Commission holidays.

It is the responsibility of applicants to ensure that applications are sent to the address indicated in the call for proposals and that they allow enough time for them to arrive before the deadline. The Commission cannot be held responsible for wrongly addressed applications or for applications sent in several parts but not clearly marked so that they can be put back together. If necessary, applicants must be able to present proof of postage.

**12.2. Practical arrangements:**

Applications must be placed inside two sealed envelopes, one inside the other. The inner envelope should be marked as follows:

**Call for proposals TREN/E1/SUB-266-2009**

**Not to be opened by the postal service**

**DM 28 0/110 – Archives**

If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across that tape.

**12.3. Contact point for further information**

Applicants may submit questions of substance in writing up to 21 days before the deadline for the submission of applications to the following contact point:

[TREN-E1-SECRETARIAT@ec.europa.eu](mailto:TREN-E1-SECRETARIAT@ec.europa.eu)

Please mention "Call for proposals TREN/E1/SUB-266-2009" in the subject.

In the interests of transparency and fair treatment, all relevant information given to one applicant will be published on the internet along with this Call for proposal.

**13. INDICATIVE SCHEDULE**

Reception of proposals: refer to point 12.1 above

Evaluation: November 2009

Award decision: January 2010