

CALL FOR PROPOSALS SANCO 2011/10834

With a view to obtaining a grant

FOR A PREPARATORY ACTION ON CONTROL POSTS

Amount of the call: EUR 2.000.000

1. BACKGROUND

On the initiative of the European Parliament, €2 millions have been allocated in the 2010 Union's budget to a preparatory action on control posts. This is an additional preparatory action as to complete the preparatory action budgeted in 2009 (Call SANCO/D5/10753/2010). A first part of the previous preparatory action "Evaluation of the feasibility of a certification scheme for high quality control posts" has been achieved. The present call is therefore an additional action which will continue to experiment further the recommendations of the feasibility study.

The feasibility study can be consulted at:

http://ec.europa.eu/food/animal/welfare/financing/index_en.htm

The projects presented under this call will fully take into account the recommendations of the study bearing in mind that the action should be economically sustainable and continue to exist beyond the period of time where grants will be provided.

Since the adoption of Directive 95/29/EC, the transport of animals in the EU has been limited in time for the main farm animals' species. After a certain period of transport by road¹, animals must be unloaded. If they are to be transported further they must stay for 24 hours in locations approved by the competent authorities. Although today's framework of the animal transport legislation has been recast through the adoption of Regulation (EC) No 1/2005, rules on travelling times and resting periods have been maintained.

Places for unloading animals were initially called "staging points" and later renamed in "control posts" following the adoption of Regulation (EC) No 1/2005 on the protection of animals during transport.

"Control posts" are establishments approved by the national competent authorities provided that they comply with the requirements laid down in Regulation (EC) No 1255/97. Rules laid down in this Regulation aim at ensuring that animals are kept in good welfare conditions while maintaining their animal health status. This has been a particular issue following the Foot and Mouth Disease outbreak of 2001 where it was confirmed that contacts between animals of different origins at a staging point led to the spreading of the disease.

Animal welfare organisations have often pointed out that control posts are neglected by transporters and, when used, not for 24 hours (as requested by the EU legislation), but for shorter periods, closer to EU social rules applicable to road drivers (i.e. +/-12 hours).

¹ 19, 24 or 29 hours, depending on species and age. Control posts must also be used after sea transport in roll-on-roll off vessels exceeding a certain duration.

The European Commission therefore intends to award a grant to a preparatory action at promoting high quality control posts for resting animals transported over very long journeys². The intention of this call is also to ensure that the previous action to improve the welfare of animals extends to transporters who use high quality control posts developed in the previous actions.

The overall project will aim at expanding the number of control posts to be renovated under the same criteria as the previous action and extend the certification system to transporters involved in very long journeys. The project should include concrete realisation of a high standard control posts and extending the certification scheme to transporters.

2. ESTIMATED TOTAL AMOUNT OF THIS CALL

The maximum estimated total amount of the preparatory action is EUR 2.000.000. The call is conceived to possibly allocate grants for several independent projects. However the Commission will favour projects which involve a wide network of partners as to increase the European effects of the grant(s).

3. PERCENTAGE OF EUROPEAN UNION CO-FINANCING

The grant is intended as incentive for continuing a preparatory action which could not be executed without Union's 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. Contributions in kind are not regarded as eligible costs.

The project will include the building or the renovation of control posts under a certification scheme with a maximum amount granted of EUR 2.000.000 at maximum rate of co-financing of 70% of the total eligible costs of the operation. This action will cover at least three Member States and shall be consistent with the results of the feasibility study previously mentioned in particular regarding the cost per livestock unit.

Payment arrangements can be found under Article I.5 of the Grant Agreement available at the Internet address mentioned in point 1.

4. OBJECTIVES AND EXPECTED RESULTS

4.1 Objectives

This call concerns grants for action.

Objective 1 - Based on the highest level of specifications recommended by the feasibility study, the action will aim at planning, designing, financing the building or the renovation of high quality control posts in order to set up a reference for the highest standards for such establishment.

Objective 2 – In consistency with the results obtained in the previous action and research, the action will aim at developing and testing the viability of extending the certification scheme to transporters of animals operating very long journeys.

² For the purpose of this call a "very long journey" means a journey where the EU legislation requires unloading animals to control posts.

4.2 Expected results and deliveries

Expected results

The following results are expected from the action proposed:

1- The construction or the renovation of high quality control posts in at least three Member States in locations having significant traffic flows of animals concerned by the control posts legislation. The control posts must be located within the territories of the EU. The action will refer to existing internationally recognised good practices, requirements and standards in the field of animal welfare and bio-security as mentioned in the feasibility study. For that purpose control posts should also be part of the certification scheme developed by the ongoing preparatory action SANCO D5/10753/2010.

2- The establishment of a certification scheme for transporters, with a designated scheme owner, a certification body and several participants to the scheme which will cover activities of transporters of very long journeys. The scheme will include the list of topics laid down in Annex and should be consistent with the certification scheme developed for control posts (see Paragraph 1).

3- Initiatives to inform potential users of the control posts and transporters participating to the action. These initiatives will include at least publication, translation and dissemination of handbooks and maps through the web or any other appropriate media³. This will also imply the dissemination of the overall results of the action on a dedicated website available at least in English, French and German throughout the progress made. Summary of the progress will also be available in Spanish, Italian, Polish, Dutch and Romanian.

4-The organisation of a final conference of stakeholders and the Member States representatives in order to present the outcomes of the action and collect comments and information on the interest of a certification scheme at EU level.

5- The organisation of meetings of an advisory board composed of representative stakeholders external to the action. This advisory board will be consulted at least three times. Members of the advisory board will be co-opted with the Commission services. The action will include reimbursements of travel related expenses of maximum fifteen (15) members of the advisory board (outside Commission services).

6- The performance of the technical and financial external audit at the end of the action (in the last three months). The audit will aim at establishing the economic and the technical viability of the control posts subject to the action in particular their level of use and the possible reasons for success or failure.

Formal deliveries:

Within the 12th month of the project, from the date of the signature of the agreement, the beneficiaries will provide a progress report illustrating the development achieved, the difficulties encountered and their reasons.

³ In this respect, grant beneficiaries are reminded that the words "project carried out with the financial support of the European Commission" and the flag of the European Union must be included on any publication, material etc. relating to the project.

Within the 24th month of the project, from the date of the signature of the agreement, the beneficiaries will provide a final report which will include a complete description of the work and the results achieved and an audit report from the external auditor performed in the last three months of the action.

The reports according to Article I.6 of the Grant Agreement shall be submitted in English language, in any case in paper and electronic formats. An executive summary of the final report (without the audit report) will be provided in at least English, German, French, Spanish, Italian, Polish, Romanian and Dutch.

Reports shall be supplied on paper form (three copies) and one copy in electronic form, in MS Word compatible with Commission's versions.

The Commission may publish the results of the project 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 final report.

5. PERIOD AND ELIGIBILITY OF COSTS

The Commission is ready to support operations of the project of a maximum duration of 24 (twenty four) months after the signature of the grant agreement. Eligible costs can be incurred only after signature of the grant agreement by all the parties.

Eligible costs may be direct or indirect provided that they are required to manage the project.

Direct eligible costs may include, staff, travel expenses, daily allowances, equipment, consumable and supplies, sub-contracting, information dissemination, services (audit, translation, etc.) except if specified otherwise in this section.

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. Only the portion of the equipment's depreciation corresponding to the duration of the project and the actual rate of use for the operation may be taken into account by the Commission.

However, costs of specific equipment which is directly and exclusively linked to the action will exceptionally, given the nature of the Preparatory Action, be considered as fully eligible for a reimbursement by the Commission of up to 70 %. This exception only applies if the beneficiary keeps the equipment purchased with the support of the EU grant in that specific project for at least five years.

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 contract apply. Contracts awarded to subcontractors should only cover the execution of a limited part of the action. The tasks concerned and the estimated costs must be set out clearly in the application.

Costs related to the audit referred to in 4.2 (6) are eligible if they are performed in the timeframe foreseen for the action (last three months).

Costs related to the organisation of the conference are eligible as regards the expenses related to the booking of the room, interpretation (if necessary) and possible common events

(common meals) while travel, accommodation and daily allowance of each participant to the conference is eligible except for governmental representative of the Member States.

Indirect eligible costs may include administrative expenditure with a maximum flat rate of 7% of direct costs.

Costs that are not eligible are in particular the purchase of land or buildings, rents, exchange rate losses and contribution in kind. Costs related to the previous preparatory action SANCO/D5/10753/2010 are not eligible for the present action.

6. ELIGIBILITY CRITERIA

6.1. Legal status of applicants

Applications will be restricted to the following target organisations: consortium of partners covering at least three Member States and associating at least control post owners concerned by the action, an organisation of certification and research institutes involved on animal transport.

The organisation coordinating the consortium and the co-beneficiaries, hereafter named "applicants", must show that they exist as a legal person, by providing a certified true copy of their articles of association or equivalent.

6.2. 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 Regulation⁴ 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 European Union budget, in accordance with Article 96(2) lit. a of the Financial Regulation.

2. The cases referred to in point 6.2. 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 1995⁵;

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 1997⁶;

c) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council⁷;

d) cases of money laundering as defined in Article 1 of Council Directive 2005/60/EC⁸.

Applicants must certify that they are not in one of the situations listed in point 6.2.

6.3. Administrative and financial penalties

Without prejudice to the application of penalties laid down in the contract, 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 European Union budget may be

⁴ 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, last amended by Council Regulation (EC, Euratom) n° 1525/2007 of 17 December 2007, OJ L 343 of 27 December 2007, p. 9.

⁵ OJ L 316, 27.11.1995, p. 48.

⁶ OJ C 195, 25.6.1997, p. 1.

⁷ 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.

⁸ 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).

subject to administrative or financial penalties, in accordance with Article 96(1) of the Financial Regulation.

7. 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 project funded and to help finance the project. The applicants must have the professional skills and qualifications required to complete the proposed action.

7.1. Financial capacity of applicants

Applicants must show that they have the financial capacity to carry out the operation to be financed.

Applicants must provide evidence of availability of the own resources needed, to complement the co-financing of the European Union required and to manage the necessary cash-flow for the management of the project. As a guideline the amount of the grant given to a beneficiary should not exceed the total amount of his/her shares and long term debt. When a consortium applies for grants for different partners, the above rule shall apply for each partner considered as individual beneficiaries.

For that purpose, beneficiaries will provide financial information stating the amount of their shares and long term debt (debts of more than one year) in the last three years. Public funded bodies are exempted from this requirement if they confirm that their capital is guaranteed by a public body (national or regional level).

Applicants must fill in the form relative to legal entities, available from the website mentioned in point 1.

7.2. Technical capacity of applicants

Technical and professional capacity – means of proof required

Applicants must have the technical capacity and the professional capability to carry out the action to be financed. They must provide evidence of their knowledge and experience in the field of animal related infrastructure and animal transport operations. They should provide **certification and descriptions of projects and activities undertaken in the last three years and more particularly of projects related to the action**. They must provide **detailed curriculum vitae of each member 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. Applications must describe the **respective roles of the key participants** of the action and the level in their contribution (percentage in time).

Transporters and control post owners participating to the action must be approved by the relevant competent authority.

Applicants must demonstrate that national competent authorities in the Member States and organisations applying for the action are supportive of the objectives of the project and in particular the principle of introducing a certification scheme for transporters which is to be implemented by the action. They must provide evidence of the contacts and international

stakeholders that they intend to consult, in particular as regards certification, and whose resources they intend to draw-upon in the course of the execution of the preparatory action.

8. CRITERIA FOR THE AWARD OF THE GRANT

Project proposals will be evaluated by an evaluation committee set up according to Article 116 of the Financial Regulation⁹ and Article 178 of the Implementing Rules¹⁰.

The operation supported must be designed to further the objectives referred to in points 4 and 5 above. The Commission will base the choice of project(s) and the rate of European Union co-financing on the basis of the following criteria:

1. Soundness of the approach (20%): The proposals will be assessed here on the level of understanding of the call and if it covers the different aspects (scientific, technical, economic and educational). References to relevant information outside the frame of this call will be considered as well as the level of involvement of the different partners involved. The quality and appropriateness of the draft standards taken into account, the robustness of the methodology proposed the descriptions of the control posts to be built/renovated and the quality of the plan will be taken into account.

2. Organisation of work and stakeholders involvement (20%): The clarity and realism of the allocation of work, timing, milestones and deliverables will be taken into account. Adequacy of allocation of the various tasks to each team according to their professional experience will also be assessed. Finally, the variety and the degree of involvement of the different stakeholders as well as their EU representativity will be an important criterion.

3. Interest of project at European level and multiplier effect (30%): The application should indicate explain why and how the project will have a European dimension and long lasting positive impacts. The size of the geographical scope (number of Member States, number of control posts involved) and the diversity of the partners (nationalities and competencies) will be taken into account. The visibility (publications, organisation of events, Internet sites, CD-ROM, etc.) will also be taken into account. Purely national initiatives will be excluded.

4. Cost effectiveness and economic viability of the project (30%): Account will be taken of the number of control posts in relation to both the EU grant and the total cost of the action. The application will be assessed on its capacity to demonstrate an economic viability of the project beyond the period of subsidies and the soundness of its co-financing sources. The action should be cost efficient and proportionate to the action proposed in line with the recommendations of the feasibility study concerning the costs of renovation per livestock unit.

Only a proposal that 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.

Control post facilities who have applied to the previous call SANCO/D5/10753/2010 are not allowed to be granted from this call. However a same control post owner could apply

⁹ Council Regulation (EC, Euratom) No 1605/2002 (OJ L 248, 16.9.2002, p. 1), last amended by Council Regulation (EC) No 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p. 9).

¹⁰ Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 (OJ L 357, 31.12.2002, p.1), last amended by Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007 (OJ L 111, 28.4.2007, p.13).

to this call if it relates to the renovation or the building of a facility in a different location than the previous call.

10. GENERAL CONDITIONS FOR AWARDING A GRANT

The Financial Regulation¹¹ lays down the rules to be applied with a view to ensuring that the procedures for protecting EU funds are complied with. This regulation and the associated implementing rules¹² constitute the reference documents for this call for proposals.

Following the evaluation, proposals recommended for funding are drawn up in a list, ranked according to the total marks awarded. Depending on budget availability, the highest ranked proposal(s) will be awarded for co-funding. The remaining proposals which reached the minimum necessary scores and are therefore recommended for co-funding will be placed on a reserve list.

For project(s) selected for funding, the Commission will determine the amount of financial assistance to be granted and the percentage of co-financing in the framework laid down under point 3.

The Commission reserves the right to award a grant of less than the amount requested by the applicant. Grants will not be awarded for more than the amount requested.

The general conditions for awarding a grant, 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. Applicants must compulsorily take notice of this document and must take into account the conditions for awarding a grant 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 European Union budget. Therefore, applicants must provide a detailed breakdown of all expenditure related to their proposal.

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.

For actions where the cost to be financed by the Commission exceeds €500 000, the proposal must be accompanied by an **external audit report** produced by an approved auditor. This report must certify the accounts for the last year available. If this report is not submitted, the proposal will be rejected.

¹¹ Council Regulation (EC, Euratom) No 1605/2002 (OJ L 248, 16.9.2002, p. 1), last amended by Council Regulation (EC) No 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p. 9).

¹² Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 (OJ L 357, 31.12.2002, p.1), last amended by Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007 (OJ L 111, 28.4.2007, p.13).

11. SUBMISSION OF APPLICATIONS FOR A GRANT

Applications must be made in one of the official languages of the EU and only using the **model application form with its annexes 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 project. The co-ordinator and each co-beneficiary must fill in the sections 1 (information about each applicant) and 5 (declaration by each applicant) of the application form. The form relative to legal entities, available from http://ec.europa.eu/budget/info_contract/legal_entities_en.htm, must also be filled in.

Summary of the documents required for an application to be admissible

- 1- Legal identity form
- 2- Grant application form and the relevant annexes
- 3- Supporting documents mentioned in the application form and in the annexes
- 4- Certification that applicants are not in one of the situations listed in point 6.2.
- 5- Financial information concerning shares and long term debt over the last three years (for each partner in case of a consortium)
- 6- Certification and descriptions of projects and activities undertaken in the last three years
- 7- Curriculum vitae of each member of the team and their respective roles in the action
- 8- External audit report (in case of application for 500.000€ or more)

12. CLOSING DATE FOR SUBMISSION OF APPLICATIONS FOR A GRANT

12.1. Grant applications can be sent in two ways:

- a) either by post or by courier not later than **31/8/2011**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

European Commission
Directorate-General for Health and Consumers, Unit D5, Office F101 6/177
Call for proposals "control posts 2011/10834"
For the attention of Mr. Denis Simonin
B – 1049 Brussels

- b) or delivered by hand to the following address:

European Commission
Directorate-General for Health and Consumers, Unit D5, Office F101 6/177
Call for proposals "control posts 2011/10834"
For the attention of Mr. Denis Simonin

Avenue du Bourget 1
B-1140 Brussels (Evere)
Belgium

not later than **16.00 on 31/8/2011**. 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.

12.2 Practical arrangements

Applications must be submitted in two envelopes. Proposals must be placed inside two sealed envelopes. The inner envelope, addressed to the department indicated in the call for proposals, should be marked as follows:

"Call for proposals "Control Posts 2011/10834" –
not to be opened by the internal mail department
F101 6/177".

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

Annex – Criteria to be considered for extending the certification scheme to transporters

The part of the certification scheme applicable to transporters should aim at the following objectives:

- 1) Establish measurable and objective criteria to assess compliance to the EU legislation according to the different technical section (fitness for transport, means of transport, transport practices including space allowances, journey times and resting periods as well as watering and feeding practices ,
- 2) Establish measurable and objective criteria to assess the level of welfare of the animals transported (preferably animal based criteria);
- 3) The above mentioned criteria should be sufficiently practical to be used under commercial conditions but sufficiently sensitive to detect possible anomalies.
- 4) Criteria should be subject to validation by a panel of experts made of scientists, transporters, animal welfare organisations and official veterinarians, all involved in their activities in the transport of animals.
- 5) Establish a system of monitoring by the driver and an independent third party of the criteria identified. The system should aim at ensuring that animals are transported constantly under appropriate animal welfare conditions and in compliance with EU rules. The system should identify critical points where the welfare of animals may be jeopardized and possible corrective actions.
