



NEAR DG C.3 - Ref. N°: Ares(2017)6026801
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Dear Contracting authorities in the Twinning Community

Below serves as an urgent and advanced clarification responding to comments from a number of CA's related to issues they have come across when preparing contracts under the New Manual. The below issues will together with other issues be included into a clarification note currently being processed.

A. **Standard Twinning Initial contract, initial and rolling work-plans and budgets**

1. Annex A1 and Annex A3 at Twinning Contract stage

We have realised that the Annex A1 is still included into the manual whilst this is a technical mistake. The manual clearly defines that Annex A1 should be the Project Fiche and the EU MS proposal as presented for the selection. The rolling work-plans are then added later. At the moment of the signature of the contract document, the Annex A1 "Description of the Action" should consequently be composed of the "Project Fiche (Annex C1) and the EU MS proposal (Annex C2). The initial work and (future) rolling work-plans will be added later.

Annex A1: At the contracting stage only the Project Fiche and the EU MS proposal is included. NB: Should a contract already have been prepared using Annex A1 and integrating the EU MS proposal and the Twinning Fiche into the Annex A1 document this should be accepted, and can subsequently be changed/corrected between the contracting parties after the first Steering Committee.

Annex A3: Regarding the budget kindly let us re-confirm that EU MS at the stage of preparing a response to the Twinning fiche should only present a very indicative budget proposal –at the level of budget headings. This initial and very indicative budget is the only budget to be included into Annex A3 at the contracting stage.

2. Annex A1 and Annex A3 after development of the initial rolling work-plan and corresponding budget

The initial rolling work plan covering the first six months of the project and forming the basis of the future rolling work-plans will be added to Annex A1 when developed and approved by the first Steering Committee and after being notified to the CA. The detailed budget corresponding to this initial rolling work-plan will equally be added when approved by the first Steering Committee and after being notified to **the CA. The CVs of the STEs experts to be used for the implementation of the activities during the first six months will be also added at this stage.**

As we iterated in all Video-conferences and awareness raising missions on site, the Manual does not necessarily require processing an addendum after the first Steering Committee, but we strongly **recommend** to process an addendum immediately after this first Steering Committee, since this in our view would provide a more solid contractual base.

3. Updates of rolling work-plans and budgets.

The updated rolling work-plans and the corresponding budgets not requiring addendum are - when approved by the SC – notified and submitted to the CA, who adds the rolling work-plan update to Annex A1 and the updated corresponding budget to Annex A3 to the contract.

When updating future rolling work-plans and the corresponding updated budgets the situations requiring an addendum to be processed is described in the manual (mainly - but not only - changes between budget headings of 25%+).

B. Missing link in Annex A5

In the reformatting process a link to the legal entity standard document is now missing. The link is: <http://intragate.ec.europa.eu/dg/devco/prag/document.do?isAnnexes=true>. The form to use is the form numbered C404

C. Twinning Light: Potential Incoherence regarding Short Term Expert CVs to be presented in Twinning Light

Art. 8.3.1. vs Annex C2Bis:

(...) "Differently from a proposal for a standard Twinning, a proposal for a Twinning Light project is expected to contain a fully elaborated work plan with the detail of all activities, including specific objective, content, duration, sequence, indicators, etc. The PL responsible for the coordination of the Member State input and the short-term experts to be involved shall be identified and their CV attached." (...) whilst ANNEX C2Bis: Twinning Light Proposal, point 9. Component leaders and short term experts say: "Provide the names, positions and profiles (experience, education etc.) of the proposed team of experts. Provide an overview – not the CVs of – of profiles (experience, education) available in the administration for implementing the activities for each of the mandatory results/outputs."

We will update the text in order to clarify the text issue In Annex C2Bis which should read:

"Provide the names, positions and profiles (experience, education etc.) and CVs of the proposed team of experts. Provide an overview – not the CVs of – of other profiles (experience, education) available in the administration for assisting in implementing the activities for each of the mandatory results/outputs from the back office."

D. Publication of Twinning calls on e-prospect

The EU Delegations have been notified by HQ about the process for publishing the calls in E-calls Prospect. In case of any questions regarding this publication process, we are told to inform you as follows:

EU Delegations have to address the Deputy USM of the Delegation (who was not in copy in any of the emails below) and he/ she will in turn address NEAR APPLICATION SUPPORT which is the single point of contact for Financial IT applications. The roles of agents are defined by the "nomination of agents" form approved by HoD.

Best regards
on behalf of

Claus LECH