

TERMS OF REFERENCE FOR THE ROLE OF FUND OPERATOR: QUESTIONS AND ANSWERS

Purpose of this document

This document lists the questions sent to the FMO regarding the role of Fund Operator of the EEA Grants Active Citizens Fund 2014-2021, and the responses provided by the FMO.

After the tender for Fund Operator of the Active Citizens Fund is launched in a beneficiary country, questions can be sent to the FMO regarding the role. All questions must be emailed to the address below, indicating in the subject line the country and organisation name: acfund@efta.int. In the interest of transparency and fairness, these questions do not receive individual replies – responses are provided in this document and made publicly available on the EEA and Norway Grants website.

For ease of reference the questions and answers are grouped in the following way:

1. Administrative criteria
2. Eligibility criteria
3. Evaluation criteria and selection
4. Regional civil society initiatives and bilateral cooperation
5. After selection of the Fund Operator/programme implementation
6. Country-specific questions: Poland
7. Other questions
8. Abbreviations

1. Administrative criteria

Question 1.1: To which level is it necessary to submit the supporting documents in English, e.g. the Statutes of the organisations or description of previous work?

Answer: The proposal shall be submitted in English. According to section 6.2 of the Terms of Reference, an English translation of each bidder's statute is required. For other supporting documents not in English, a translation into English for the relevant parts of these documents should be provided.

Question 1.2: An English translation of bidder's statute is required. Does the translation need to be certified?

Answer: According to the last paragraph of section 6.2 in the Terms of Reference 'where supporting documents are not in English, a translation in to English of the relevant parts of the documents should be provided'. Certification is not a requirement.

Question 1.3: Does the English translation of the external audit report need to be certified?

Answer: According to the last paragraph of section 6.2 in the Terms of Reference ‘where supporting documents are not in English, a translation in to English of the relevant parts of the documents should be provided’. Certification is not a requirement.

Question 1.4: Can the name “Active Citizens Fund” be translated into the local language?

Answer: Yes, the name “Active Citizens Fund” can be translated into the local language. The English name, Active Citizens Fund, should always be provided in local language documents (for example in parentheses after the first time the local name is introduced). Translation of the logo into national language is not accepted and it should always be displayed in English.

Question 1.5: There is a list of supporting documents and annexes required with the bid. It says that the crucial part should be in English. What do you want in English? Do you need full audit reports of all consortium members in English?

Answer: For the audit, any narrative part or financial figures that you deem important to assess, please provide in English. These should allow the FMO to understand what has been audited, when it has taken place, who has been audited, the opinion of the auditor, any possible findings making the statement unqualified (if applicable). The balance sheet (as well as profit and loss statement) should be translated into English. Exceptions would be if data on accounting level is included - only general categories are needed. The translation does not need to be certified. The lead bidder needs to submit an external audit report certifying the bidder’s accounts for the last financial year available. Please include CVs of all full-time programme staff.

Question 1.6: The bid is to be submitted only in electronic form and not in hard copy – is that right?

Answer: Yes, bids are to be submitted only in electronic form, as specified in bullet point 2 and the last bullet point accordingly, in the section ‘Instructions for drafting the bid form’ in the Bid Form.

Question 1.7: Including tables within the limit of 25 pages for the bid form document is not possible for us. Will this be a criteria critical for the administrative check-list?

Answer: The bid shall not exceed 25 pages excluding annexes. Any document that is considered to be an annex should be labelled and attached to the bid as such.

Question 1.8: Taking into consideration the limit of 25 pages of the Bid Form, when filling the tables under item 2 ‘Bidder’s experience’ their number increases a lot. Do you mind if we put these tables in landscape orientation or if we make changes to the format?

Answer: In order for the table to take less space it can be set in landscape orientation, and the gridlines between the existing rows/columns can be moved (to expand cells with more text and minimize cells with less text). Except for this, and what is described under Q&A 1.12, the Bidder must follow the instructions provided in the Bid Form and shall not make any changes to the format/tables.

Question 1.9: The Bid form A is an annotated template (comprising of 13 pages). Would it be accepted if the bidder deleted the annotations to the sections in order to meet the 25 pages length requirement for the bid?

Answer: Yes, the annotations in the Bid Form A can be deleted.

Question 1.10: The “Declaration of the Bidder”, section 8 of the bid form, is one of the supporting documents identified on the checklist for the bid (#15), and therefore it is our understanding that this should not be considered for the 25-page limit. However, this declaration is not mentioned in #2 of the checklist for the bid. Is this declaration outside the page limit?

Answer: The Declaration of the Bidder (section 8 of the bid form) is not considered for the 25-page limit.

Question 1.11: The cover page does not count for the 25-page limit, according to #2 of the checklist for the bid. Could the basic information at the beginning of the bid form, which is repeated later in the document, be included on this page?

Answer: While the cover page is not counted in the 25-page limit, the basic information at the beginning of the form is included within the expected 25 pages.

Question 1.12: Concerning the tables in the sections 2.1, 2.2 and 3 of the bid, is it possible to change the formatting to save space, by making a column or a repeating row for each action/project/programme?

Answer: Please see Q&A 1.8. The existing rows/columns of the tables can be expanded or minimized, but besides this the instructions provided in the Bid Form must be followed and no changes should be made to the format/tables. Exceptionally, in order to include as much relevant experience as possible in sections 2.1, 2.2 and 3 of the Bid Form without repeating the descriptive set text of the Bid Form, it is accepted that the area ‘Action/Project/Programme title’ is moved below the set text, as can be seen below in the example. The tables in sections 2.1, 2.2 and 3 of the Bid Form have been adjusted accordingly for tenders launched after 26 January 2018.

Name of the bidder:					
Location/ geographic coverage of the action/ programme	Total size of the action/ programme (EUR)	Description of role/tasks and responsibilities in the action/programme	Sources of funding	Dates (from mm/yyyy to mm/yyyy)	Amount re- granted per year
Action/Project/Programme title:					
Action/Project/Programme title:					

Question 1.13: Can footnotes be used when filling out the Bid Form, and if so, does the size of the text of the footnotes also need to be 11 point Calibri?

Answer: Yes, footnotes can be used, however the text does not need to be 11 point Calibri.

Question 1.14: Section 7.4. Programme modalities in the Bid form is composed from two parts and is limited to a maximum of 3 pages. First part requires description of the implementation of the programme, second part requires description of the Programme's intervention logic. We would like to know if texts of questions and instructions and Intervention logic table should be included in 3 pages, or only our text of answers can be included in 3 pages. In case if the questions and instructions are not included in the 3 pages, can we consider this solution also in all other answers?

Answer: Please see Question 1.8. The annotations in the Bid Form, which includes questions and instructions, can be deleted. Tables should be filled in and kept.

Question 1.15: Could we put a graph or a diagram in the Bid form to save the space (e.g. to show the connection & synergy between the Active Citizens Fund and other relevant EU and National programmes - point 7.1 of the Bid Form)?

Answer: Section 7.1 of the Bid Form should not exceed 2 pages. Complying with this criteria, the bidder may choose to provide the information asked for in the way they prefer, while being as clear and informative as possible.

Question 1.16: Are other supporting documents than the ones listed in the bid form checklist allowed (section 10, part B)? For example maps, graphs and statistics?

Answer: As stated in part A of the administrative checklist (Section 10 of the Bid Form), the bid shall not exceed 25 pages excluding the cover page and Section 9-10 of the Bid Form. Only the required supporting documents listed in part B of the administrative checklist shall be attached to the bid. Any other attachments to the bid will not be evaluated.

Question 1.17: What happens if the submitted bid is incomplete or missing information?

Answer: With reference to section 6.1 of the Terms of Reference, incomplete bids may be rejected. The FMO reserves the right to ask the bidder for further clarification or additional information.

Question 1.18: Can we present the logic of intervention in the form of a logical matrix? If so, we have an extensive table that we will paste into the bid.

Answer: The Bid Form should include a brief narrative description of the planned intervention logic in section 7.4, as well as a logical matrix based on the template given in the bid form. The total number of pages for the whole bid should nevertheless not exceed 25 pages, and section 7.4 is limited to 3 pages.

Question 1.19: Can we modify the table with the budget and add further points e.g. by indicating that the item will be spent in the form of re-granting? In the budget table, can we explain why the expense is necessary to achieve the programme objective or we have to do that in the bid form?

Answer: The budget table can be modified to represent the budget in the way most suited to the bid. The relevant information should be presented. It is not recommended to remove any parts of the template, and missing information can affect the evaluation of the budget. An explanation of the budget rationale should be included in section 7.6 of the Bid Form. We would also like to clarify that we consider everything under the outcomes as “re-granting”, also the pre-defined projects.

Question 1.20: Regarding the bid form section on ‘management structure, executive board and key partnerships: under the national law, the Board of Trustees of each foundation is the body that makes the final decision about awarding a grant. What is the role of the Executive Board of the Consortium?

Answer: Please provide information on how decisions will be taken in the consortium. If the decisions are foreseen to stay with the relevant Board of Trustees, please provide this information.

Question 1.21: Regarding the bid form section 5.2, ‘please provide an organigram/chart of the proposed management structure, illustrating clearly the respective roles in decision-making’: what is the difference between the organigram in this part of the bid form and the one that is required in the supporting documents?

Answer: There is no difference. It is the same document. Please ensure that the organigram/chart includes all the information required under part 5.2.

Question 1.22: What is the expected profile/composition of the Executive Board of the consortium that has to be set up?

Answer: In section 5.2 of the bid form please provide information on who will take final decisions within the consortium. If the decisions are foreseen to stay with the Board of Trustees of a consortium member organisation, please include the requested information as appropriate. Should a new Executive Board be set-up for the Fund Operator role, please provide the requested information accordingly.

Question 1.23: Regarding section 5.2 of the bid form (the table that needs to be filled in with information on the executive Board members of the consortium). In column ‘On the board since’ what information should be provided for each person? If the Executive Board will be set up for this Consortium only, this column will not apply? Or we simply mention ‘starting the date of Consortium agreement signature’/‘starting the date of PIA signature’/any other particular reference we would justify within the set-up proposed?

Answer: Section 5.2 of the Bid form serves the purpose of providing information regarding the people responsible for taking decisions during the implementation of the Programme as well as the decision-making structures within the consortium. This section of the Bid also serves to assess the Board member’s affiliations. Consequently, it is encouraged to provide as much information as possible

about the members of the Board. If the Board is created for this programme only, please indicated the date applicable based on/according to the agreement between the members of the consortium.

Question 1.24: Is there a template for the agreement between the consortium members?

Answer: The Bid Form includes a template for a consortium member statement. In accordance with section 4.2 of the ToR, at the time of signing the Programme Implementation Agreement, the selected FO shall sign a partnership agreement(s) among members of the consortium and shall ensure that the relevant obligations and responsibilities described in this Agreement are applicable to the Partners. There is no template for this partnership agreement, it shall be prepared by the consortium members following their selection. This agreement can be in the local language and is not part of the Programme Implementation Agreement with the Financial Mechanism Office. If considered necessary, the FMO can also request the agreement to be translated into English.

Question 1.25: Are all consortium partners called Fund Operator?

Answer: The lead bidder is the main interlocutor for FMO on behalf of the consortium, and has the overall responsibility as Fund Operator with regard to the aspects of implementation. See section 4.2 of the ToR.

Question 1.26: The Bid Form, section 5.2, states that “Please provide background information in the table below on each member of the consortium, including history, structure and goals of the organisations. Provide background information on the key partnerships that each member of the consortium has with civil society, public and private sectors (maximum 2 pages). Please provide information on the proposed Executive Board of the consortium.” The only table that exists in this section is the one for the Executive Board of the Consortium. Which table shall we use to provide background information for each member of the consortium?

Answer: The reference to the table only concerns information on the proposed Executive Board of the consortium. The other background information requested may be filled in by way of plain text. This ambiguity has been corrected for tenders launched after 6 February 2018.

Question 1.27: In the section 5.2. Management structure, Executive Board and key partnerships we are supposed to add an organigram/chart of the proposed management structure. Should we add this directly in the Bid form or can we send it as a supporting document in the attachment?

Answer: Please provide an organigram/chart per the instructions in section 5.2 of the Bid Form. The organigram/chart is part of the supporting documents, as listed in Section 6.2 of the ToR and Section 10 of the bid form.

Question 1.28: What information should be provided under “Action/Project/Programme title”? Do you ask for the title of the project that was implemented or the title of the programme we are applying for (i.e. “Active Citizens Fund)?

Answer: Sections 2.1, 2.2 and 3 of the Bid Form are asking the consortium members to include information on relevant experience in different areas and thus the name or title of the action, project or programme the organisations have been previously or currently involved in implementing should be provided, not the programme you are applying for.

Question 1.29: Regarding #13 of the checklist for the bid, will a comprehensive list of CVs be required, or is it necessary to include only the most relevant ones?

Answer: The bidder should provide the CVs of all the staff designated to the Programme and listed under section 5.1 in the bid form.

Question 1.30: Related to Section 6 'Management Set-up of the Consortium of the Bid Form', the table to be filled in for each organization. 'At Role and involvement in preparing the Programme': the preparing of programme refers to the period between the selection of the bid and signing the Grant Agreement or it refers to drafting the bid period?

Answer: This refers to the period between the selection of the Fund Operator (FO) and the signing of the Programme Implementation Agreement (PIA)

Question 1.31: Regarding the references that have to be provided in tables in sections 2.1, 2.2 and 3 of the bid form: should the references be provided repeatedly? Some of our programmes have the character of 'working with the sector', 'capacity building' as well as 'management of public and private grants'.

Answer: If the references are relevant for different experiences, please provide them repeatedly.

Question 1.32: An external audit report and a copy of latest accounts for the last financial year for which the accounts have been closed should be submitted. As the deadline is 13 March, 2017, not all members of consortium will have the accounts for 2016 closed as it is legal duty for 31 March. Does it mean that they can submit the accounts for year 2015?

Answer: Yes, that is fine. The latest available report shall be submitted.

Question 1.33: According to national accountancy legislation the deadline for audit and publication of financial reports is 30 June of the current year. In that respect the Lead bidder's audit report for the financial year 2016 is contracted to be finalized in April 2017. Having in mind that the deadline for submission of the bid is before this date, could you please confirm our understanding that the Lead bidder will comply with the requirements for the requested supporting documents by presenting external audit report and accounts (profit and loss account and balance sheet) for year 2015 which is the final closed and audited financial year by the date of submission? In addition we are capable to present financial statements for 2016 with a letter from the independent auditor regarding the expected date of finalization of audit report, if you consider necessary.

Answer: Yes, that is fine. The latest available report shall be submitted.

Question 1.34: With reference to the Bid Form, section 4.1, on the annual budget for the last three years for each organisation: Given that it is the beginning of 2018, and therefore, the accounts for 2017 are not yet final, is it possible to include relevant data for 2016, 2015 and 2014?

Answer: Yes, it is possible to provide the annual budget for the years 2016, 2015 and 2014 if the accounts for 2017 are not yet final.

Question 1.35: In the ToR it is mentioned that “An external audit report of the Lead bidder, certifying the bidder’s accounts for the last financial year available” should be presented. In case the lead bidder had several big projects for which the respective donors requested separate Audit reports would it be sufficient to present these separate audit reports Together with the censor’s report?

Answer: The purpose of the audit report of the lead bidder is to certify the bidders account for the last financial year available. Unless the audit reports do this in its entirety, they cannot be considered sufficient.

Question 1.36: To what extent do we have to provide guarantees of future financial sustainability? Some organisations rely on project funding, but there is no guarantee that they will have financing for the next years.

Answer: The bidder should show that they ‘have stable and sufficient sources of finance to maintain their activity throughout the Programme’. Please refer to question 1.4, 2.25, 2.9. The FMO will request clarification of compliance with this eligibility criterion if needed.

Question 1.37: For Annex B: Programme Budget, what should be filled in the first table – only the management fees for achieving the respective outcomes, including management (launching call for proposals, selecting, awarding/contracting, monitoring etc) of the projects funded under the ‘Regional Civil Society Initiatives’ and under the ‘Fund for Bilateral Relations’ so that the total eventually is approximately (less than) EUR 1 385 000 or should there here be included budget lines for the respective funds (‘Roma empowerment and inclusion’, ‘Scholarships for Roma students in medical/health studies’, ‘Fund for Bilateral Relations’, etc. so that the total eventually is approximately EUR 15 500 000?

Answer: Annex B table 1 should include all the programme budget headings i.e.:

- Management fee
- Re-granting amount presented separately for each outcome
- Regional Civil Society Initiatives
- Fund for Bilateral Relations

Annex B table 2 should present a suggested indicative breakdown of the management fee only. More detailed information and guidelines can be found in Chapter 5.8 and 5.9 of the Manual for Fund Operators of the Active Citizens Fund.

Question 1.38: What is meant by ‘turnover or equivalent’ and ‘net earnings or equivalent’ in section 4.1 of the bid form?

Answer: In section 4.1 of the bid form, bidders are requested to provide a clear indication of historical and available financial resources on the basis of the profit and loss/balance sheet of each member of the consortium (amounts in thousands of euros). This includes:

Turnover: managed budget/funds or equivalent

Net earnings: net income/net profit or equivalent

This information will be used to assess the consortium’s sources of finance and track record in managing funds.

Question 1.39: Do all bidders have to submit information on their financial capacity?

Answer: Yes, each member of the consortium shall fill in the tables provided in Section 4 (‘financial resources’) of the bid form.

Question 1.40: In case of the Fund for Bilateral Relations, if we consider an amount above the allocated minimum amount in the Terms of Reference, this added amount shall be considered from the re-granting category or the management fee?

Answer: The amount of the bilateral fund for each programme is based on the total programme allocation as described in section 5.5 of the Manual for Fund Operators of the Active Citizens Fund. Thus, if a higher allocation is considered this should also be calculated as a percentage of the total programme allocation.

Question 1.41: In case that a pre-defined project is foreseen in the Bid, shall it be budgeted within the respective Outcome or as a separate budget line among the funds for regranting? Should the PDP be separately indicated from the rest of the allocation to the outcome?

Answer: The pre-defined project should be budgeted within the respective Outcome. If one outcome includes a PDP and also other projects, only the total amount should be indicated in the budget. Further information on the PDP should be provided in the text of the bid as well as later on in the programme development phase, especially in the Concept Note.

Question 1.42: What does “re-granting funds” refer to? For example “Minimum 10% re-granting funds for Roma inclusion and empowerment”.

Answer: The re-granting funds or re-granting amount refers to the total programme grant allocation (identified under “basic information” on page 1 of the bid form and in section 1.1 of the Terms of Reference) minus the management fee, funds for bilateral cooperation and funds for regional civil society initiatives.

Question 1.43: Within part 1.4 of the ToR it is stated that at least a third of the total regranting amount shall be allocated to democracy and human rights relevant projects. In this context, “the total regranting amount” means the total allocation for the Outcomes? Or the allocation for projects under Fund for Bilateral Relations shall also be included into “the total regranting amount”?

Answer: The total regranting amount refers to the total allocation for the Outcomes.

Question 1.44: What does the registration number mentioned in the Bid Form (section 1.5) refer to?

Answer: The registration number (or equivalent), date, address and country of registration is required to show that the organisation is a registered legal entity. Please provide here the number that according to your national legislation is a proof of being an entity legally recorded/listed in a state registry.

Question 1.45: Does the stakeholder consultation report need to be included in the application form?

Answer: No, the stakeholder consultation will take place only after the fund operator has been selected. More information on the stakeholder consultations can be found in the Civil Society Results Manual, section III.1.

Question 1.46: How much of details should the bidder provide on their GDPR policy?

Answer: There is no requirement to include information related to the GDPR in the bid.

Question 1.47: Do you need to provide CVs of all people who will be working with the Programme? Do CVs need to be submitted in a specific format? Are CVs part of annexes?

Answer: The bidder should provide the CVs of all the staff designated to the programme and listed under section 5.1 in the bid form. No specific format of the CVs is required. The CVs should be annexed to the bid.

Question 1.48: Which annexes need to be submitted as original documents?

Answer: Original documents are not required as part of the bid. The bid shall be submitted in electronic form only, as specified in bullet point 2 and the last bullet point accordingly, in the section ‘Instructions for drafting the bid form’ in the Bid Form. The FMO may however request original documents after the submission of the bid.

Question 1.49: Our non-profit was founded in 2017 and in the end of this year 2019 we can present 3 years of audited financial statements. Is it possible to include 2017 and 2018 and so far, 2019 and then at the end of the year if the bid decision is still pending, we can send the final audited statement?

Answer: An audit report certifying the accounts for last financial year available is required. Therefore, it would be acceptable to send the external audit report certifying the bidder’s accounts for 2018, the accounts for 2019 not having been certified at the time of the submission. Please also refer to question 1.33 of the ACF tender process Q&A.

2. Eligibility criteria

Question 2.1: Since it is not explicitly written that the bidder (or co-bidders) should be an entity in the beneficiary state does it mean that the bidder could be any international NGO from the EEA?

Answer: Yes, according to the eligibility criteria, all organisations submitting the bid must be legal entities in the EEA and have experience working with civil society in the beneficiary country. This makes it possible that the bidder can be any international NGO from the EEA that meets these (and the other) eligibility criteria. The eligibility and evaluation criteria (including knowledge of the sector, expertise in capacity development in the country etc.) make it more likely that bids from organisations in the beneficiary country will score higher than bids from organisations outside the beneficiary country. For more information on eligibility and evaluation criteria, see section 4.2 and 4.3 of the Terms of Reference.

Question 2.2: Can a private company be member of a consortium, which bids for the tender?

Answer: A private company can be a co-bidder given that they fulfil the eligibility criteria as described in Section 4.2 of the Terms of Reference. However, as stated in the same section, the lead bidder must be non-profit making with a non-commercial purpose.

Question 2.3: Is it only the relevant Beneficiary State entities that need to be non-governmental organisations, or does this apply to all potential bidders?

Answer: According to the eligibility criteria in Section 4.2 of the Terms of Reference, all bidders/organisations in the consortium have to be non-governmental.

Question 2.4: What is the minimum/maximum number of organisations required to be considered as a consortium?

Answer: The minimum number of organisations required in a consortium is two. The Terms of Reference does not include any requirements relating to the maximum number of organisations within a consortium. Please note, that the management set-up of, including the composition and division of roles within the consortium is part of the evaluation criteria as described in section 4.3 of the Terms of Reference.

Question 2.5: What does sufficient re-granting experience mean?

Answer: There is no set answer to this, as the scope of experience may vary between organisations. E.g. an organisation may have re-granted to 20 projects worth 5,000 euro each, and another organisation two projects worth 100,000 euro. Both may be relevant experience. Section 3 of the bid form invites bidders to include relevant experience from the last ten years. This will provide us with a significant overview of the re-granting experience of the consortium.

Question 2.6: What is meant by 're-granting experience'?

Answer: 'Re-granting experience' refers to experience in receiving grants from a donor, and in turn providing sub-grants to a number of smaller organisations. At least one organisation in the consortium is required to have experience in and technical capacity for this financing mechanism.

Question 2.7: Do all bidders have to be non-governmental organisations and non-profit making?

Answer: As stated in the eligibility criteria in section 4.2 of the Terms of Reference, all bidders must be non-governmental organisations. The lead bidder must in addition be non-profit making with a non-commercial purpose. In the case where the lead bidder is an umbrella organisation, only the organisation itself needs to be non-profit making with a non-commercial purpose.

Question 2.8: Is an NGO not registered as a foundation acceptable as a consortium member with a specific role in the grant making process based on their specific and unique expertise in the field work?

Answer: As stated in the eligibility criteria in section 4.2 of the Terms of Reference, all bidders must be non-governmental organisations. The lead bidder must in addition be non-profit making with a non-commercial purpose. Other members of the consortium only need to be non-governmental.

Question 2.9: What are the criteria for financial sustainability?

Answer: The eligibility criteria 'Have stable and sufficient sources of finance to maintain their activity throughout the programme' will be checked against the information provided in section 4 'Financial Resources' in the Bid Form, and the supporting document 'External audit report of the Lead Bidder'.

Question 2.10: The partners in the bid are non-profit, does that mean that companies could not be partners?

Answer: A private company can be a co-bidder given if they fulfil the eligibility criteria as described in Section 4.2 of the Terms of Reference. However, as stated in the same section, the lead bidder must be non-profit making with a non-commercial purpose. See also Q&A 2.2 and 2.3.

Question 2.11: You mention the importance of previous fund granting experience. Can you add to that? What sort of experience? Need it be management level of experience?

Answer: The eligibility criteria, including the required experience of the Bidder are included under section 4.2 of the ToR. All bidders must be non-governmental organisations and have experience working with the civil society sector in the beneficiary country. The lead bidder must in addition be non-profit making with a non-commercial purpose. Additionally, at least one organisation should have sufficient re-granting experience and sufficient experience in strengthening civil society capacity and sustainability. Re-granting experience is further explained under Q&A 2.5 and 2.6.

Question 2.12: What value is given to bids from experiential learning realities like ours where professionally trained people are working side by side with young people from disadvantaged situations learning on the go?

Answer: The ToR sections 1.2.-1.6 define the focus and scope of the Active Citizens Fund. Further, you can see the eligibility and evaluation criterion in ToR sections 4.2 and 4.3 respectively.

Question 2.13: Would a non-profit making, non-governmental, autonomous organisation which receives government funding be eligible? All other eligibility criteria is satisfied.

Answer: The level and content of the government funding needs to be assessed on a case by case basis in order to determine without a doubt the independence of the organization from local, regional and central government as required by the eligibility criteria under section 4.2 of the ToR.

Question 2.14: What would you consider to be relevant re-granting experience? Would it encompass any type of public or private donor, and any type of national or international donor?

Answer: See Q&A 2.6. Relevant re-granting experience could be from both public and private donors, however in case there are several examples that could be provided, please list those that could be considered the most relevant in view of the present Terms of Reference.

Question 2.15: At least one organisation in the consortium bidder must have “sufficient re-granting experience”, according to P.16 of the ToR. We ask that you kindly clarify what constitutes, in your understanding, sufficient experience. Taking the examples from Q&A Question 2.5 – would an organisation with the experience of granting €100,000 have enough experience to be fund operator in a €11 million programme, or would an applicant be required to have experience worth a larger percentage of that amount?

Answer: As also replied to Q&A 2.5, there is no set answer to this. Section 3 of the bid form invites bidders to include relevant experience from the last ten years, including descriptions of responsibilities and tasks carried out. This will provide us with a significant overview of the re-granting experience of the consortium.

Question 2.16: My central doubt is due to the entity status – if it's a legal entity or not. We are a local association (civil society organization), a non-profit but represented by 4 municipalities.

Answer: According to the eligibility criteria in Section 4.2 of the Terms of Reference, in order to be eligible for the Fund Operator role, all organisations submitting a bid must be legal entities in the EEA and be non-governmental, independent of local, regional and central government, political parties and religious institutions. Generally, associations of municipalities where the municipalities have representation and a decisive role in the board of the organisation are not considered independent of local government.

Question 2.17: We ask that you kindly clarify the meaning of the second bullet in section 4.2 of the ToR in the part concerning “religious institutions” – is your meaning that organisations must not be religious institutions, or instead, that they must not be dependent on religious institutions? And if it is the latter, what would determine dependency on a religious institution?

Answer: In accordance with section 4.2 of the ToR, in order to be eligible for Fund Operator role, all organisations submitting a bid must be independent of religious institutions. This entails that the organisation must not in any way be dependent on or influenced by a religious institution and do not directly or indirectly promote religious doctrine, mission or proselytism related to the beliefs of a particular faith (beyond basic religious/cultural awareness raising).

Question 2.18: In accordance with section 4.2 of the ToR, in order to be eligible for FO role, all organisations submitting a bid must be non-governmental, independent of local, regional and central government. We would like to be sure that our and your understanding of “being non-governmental” is the same also in case of university, which is established as public, independent institution according to the Higher Education Act, and so is to be considered as the eligible bidder.

Answer: In accordance with section 4.2 of the ToR, in order to be eligible for the Fund Operator role, all organisations submitting a bid must be non-governmental, independent of local, regional and central government. Universities that in any way are dependent on or influenced by government, will normally not be considered as independent. With reference to section 6.4. of the ToR, please be aware that ‘to ensure equal treatment of bidders, the FMO cannot give a prior opinion on the eligibility of bidders, an action or specific activities’.

Question 2.19: If a bidder is active in the policy making processes does it make it political in nature?

Answer: ToR eligibility criteria states that the bidder needs to be independent of political parties, therefore participating in the policy making process is not considered to make the bidder dependent of a political party.

Question 2.20: Sufficient experience in re-granting is an on/off criterion as per the ToR, p. 18. Please clarify the following: i) In case an entity has experience in administering re-granting from its own resources, does this entity fulfil this criterion or it is required to have re-granting experience in administering resources from other sponsors? ii) Does an entity with experience in providing technical assistance to Managing Authorities of ERDF and ESF funds for the implementation of their programmes fulfil the re-granting criterion?

Answer: Please refer to also Q&A 2.6 and 2.14.

Question 2.21: Can re-granting experience gained in a different country than the beneficiary state be considered eligible?

Answer: Yes, there is no restriction as to where the re-granting experience may be gained, and information on relevant experience gained also outside of the beneficiary state may be included in section 3 of the Bid Form. However, as stated in section 4.2 of the Terms of Reference, there is a requirement for all organisations submitting a bid that they have experience working with the civil society sector in the beneficiary state.

Question 2.22: With reference to Question 2.2, can “for-profit private companies” (not categorized as NGO), participate as co-bidders?

Answer: There is no requirement that the co-bidder is formally categorized as an NGO, but as replied to Q&A 2.2, the eligibility criteria in section 4.2 of the Term of Reference must be fulfilled, which include the requirements that all organisations submitting a bid must be legal entities in the EEA **and** non-governmental, independent of local, regional and central government, political parties and religious institutions.

Question 2.23: Regarding the eligibility criteria on sufficient re-granting experience and with reference to Question 2.5, 2.6, 2.14, 2.15, 2.20 and the ToR section 4.2, there seems to be no restrictions on the type of the entities that have benefited, either as project promoters or end beneficiaries. However, the Bid Form section 3 asks for experience in re-granting funds within the civil society sector. Thus, are there any restrictions as to the type of entities that have benefitted from the re-granting or in what countries the projects have been implemented?

Answer: Please follow the instructions of section 3 of the Bid form and provide information on re-granting experience within the civil society sector. Please be reminded that at least one organisation within the consortium need to comply with this criterion. There is no restriction as to where the projects have been implemented, but please note eligibility criterion no. 5, which requires all lead and co-bidders to have experience working with the civil society sector in the beneficiary country.

Question 2.24: Is it possible for an organisation to be project promoter of a Regional Cooperation Fund or Youth Employment Fund project, and also be eligible to be Fund Operator for the ACF?

Answer: Being a project promoter for a Regional Cooperation Fund or Youth Employment Fund project does not exclude an organisation from applying for the role as Fund Operator for the ACF.

Question 2.25: Is there a minimum turnover that each of the consortium members must have in order to qualify for the role as Fund Operators?

Answer: No, there is no minimum turnover required for each of the consortium members in order to be eligible for the role as Fund Operator. However, please bear in mind that, according to the eligibility criteria set in section 4.2 of the Terms of Reference, all organisations within the consortium must have stable and sufficient sources of finance to maintain their activity throughout the Programme. This eligibility criterion will be assessed on the basis of the information provided in section 4 of the Bid Form.

Question 2.26: We are registered as a local foundation compliant with national law on registration on non-profit organisations. We are an independent foundation, but our 'mother' organization is registered outside the beneficiary country. Are we eligible?

Answer: The bidder will submit their documents in line with the ToR and Bid Form. The FMO will ask for further documentation and clarification if needed. Please also refer to question 2.2.

Question 2.27: What does it mean that the lead bidder should have a non-commercial purpose?

Answer: Normally it is expected that the lead bidder does not engage in any commercial economic activity. Non-commercial purpose in this context means that if in case the bidder does in fact engage in economic activity, this shall contribute to the objectives and the activities of the organisation as laid down in the statutes of the organisation. Consequently, any profit generated should be reinvested for these purposes.

Question 2.28: Could you please clarify what the difference between section 2.1, 2.2. and 3 of the Bid Form is? If the information (meaning projects and programmes) in part 2.1 is the same as in part 2.2, should it be repeated in both parts?

Answer: Please see Q&A 1.31. Please provide information on the projects and programmes that best show the experience asked for in each section. In section 2.1 you should describe your experience in working with the civil society sector and in section 2.2. specific experience in building capacity and sustainability of the civil society sector. Section 3 focuses on the description of your re-granting experience.

Question 2.29: Can we include in the core team of the bidder persons who do not work with us on a contract of employment, but on service contract on a cooperative basis? We will change persons from the core team, because some of them changed their work and we have new employees perfect for being delegated to our team, but some of them don't have contract of employment, just service contract.

Answer: The core team of the bidder, responsible for the preparation and implementation of the Active Citizens Fund, may consist of employed staff as well as persons assigned on the basis of service contracts. It is the responsibility of the Fund Operator to ensure that such service contracts are awarded in accordance with the applicable rules on public procurement. Please note that there is a requirement for all organisations within the consortium applying for the Fund Operator role that the organisations have experience in working with the civil society sector in the Beneficiary State. There is furthermore a requirement for at least one organisation in the consortium that it has sufficient re-granting experience as well as sufficient experience in strengthening civil society capacity and sustainability.

Question 2.30: Is there any difference in having the lead applicant from outside the beneficiary country or from inside the beneficiary country?

Answer: According to the eligibility criteria of the section 4.2 of the ToR all the bidders have to be legal entities in the EEA and all the bidders should also have experience working with the civil society sector in the beneficiary country.

Question 2.31: When the financial sustainability of organisations is assessed, are you assessing the financial sustainability of the consortium or the lead bidder?

Answer: Please see an earlier response in Q/A 2.9. The financial sustainability concerns each member of the consortium.

Question 2.32: What is sufficient experience working with civil society sector in the country – how much is needed?

Answer: Bid form section 2.1 asks each consortium member to describe most relevant experience of their organisation in working with the civil society sector in the beneficiary country over the last ten years.

Question 2.33: How detailed feedback can we get up front regarding conflict of interest management policy, and to what extent should it be explained?

Answer: Eliminating conflict of interest is key to the integrity of the ACF. Any conflict of interest deemed to be present by the bidding organisations should be disclosed and discussed with FMO during the bidding stage. Potential conflict of interest situation during programme implementation, the measures to prevent, detect and remedy these situations are explained in the Manual for Fund Operators (Section VII on Selection and Contracting of NGO Projects). If these are deemed to be relevant for the content of the Bid (eg suggested programme modalities) this should be clearly explained in the Bid, or specific questions should be sent during the bidding stage.

Question 2.34: To what extent do we have to provide guarantees of future financial sustainability? Some organisations rely on project funding, but there is no guarantee that they will have financing for the next years.

Answer: The bidder should show that they ‘have stable and sufficient sources of finance to maintain their activity throughout the Programme’. Please refer to Q/A 1.38, 2.25, 2.9. The FMO will request clarification of compliance with this eligibility criterion if needed.

3. Evaluation criteria and selection

Question 3.1: When can we expect the final decision about selecting the FO?

Answer: The final decision will be taken by the Donors. The aim is to conclude the selection within two-three months after the deadline of the invitation to bid, depending on the number of bids received, and the time necessary for the Donors to conclude.

Question 3.2: How can we exchange contacts if we would like to apply as consortium, we are a NGO who has applied with Erasmus+ in the recent years?

Answer: We encourage each bidder to widely consult the NGO sector in their country to find best possible consortiums for the implementation of the Active Citizens Fund.

Question 3.3: Related to Section 4.3 of Terms of Reference, among evaluation criteria there is the management set-up of the consortium and at point 2.2 there are mentioned two sub-criteria: ‘The consortium includes at least one organization that was not a member of the operating consortium of

the EEA and Norway Grants NGO programme in the previous programming period. The consortium is led by an organization that did not hold the lead/sole operator role during the preceding EEA and Norway Grants programming period'. A maximum of 10 points is given in this case. Our question: each of the two sub-criteria mentioned above values 5 points or their weight is different?

Answer: Yes, the sub-criteria weigh five points each. However, the full five points are not automatically granted; the quality of the new organisation/new lead is also evaluated and this will influence the scoring.

Question 3.4: In the bid documentation it is explained that the final programme design will be a result from the consultation process to take place after the selection of the Fund Operator. Does this allow for the bidder to propose two alternative modalities for the design of the Programme in the section 7.4 of the bid form (for instance two lists of selected outcomes that could be discussed with stakeholders during the consultation process), or there should be only one intervention logic proposed?

Answer: The bidder should propose only one intervention logic with the expected outcomes and outcome indicators for the target groups, and the key risks to outcomes in the bid in line with the Terms of Reference and guidelines in the bid form.

Question 3.5: Regarding capacity building on level 1 and level 2: we have to choose between the 5 pre-defined thematic areas and propose at least one outcome for each chosen thematic area. In previous answers you said that the capacity building outcomes shall be selected in addition to the thematic areas related outcomes. Our understanding is that the capacity building outcomes are separate budget lines equal to at least 15% of the funds for regranting. Thus there is an issue how they should be placed/budgeted/assessed within the thematic areas if there is a no separate thematic area 'Capacity building for CSOs/NGO sector'. We see two options:

1. All funding under the CB indicators should be provided to projects within the existing thematic areas, or
2. Funding under the CB indicators could be provided to projects that not necessarily fall under one of the thematic areas as per the ToR. Hence, they could be considered as projects exclusively focused on CB development (level 01 or 2) and no directly linked to any of the thematic areas chosen.

Answer: As stated in Section 2.2 of the Terms of Reference, capacity development should be integrated across the Programme, while a minimum of 15 percent of the re-granting amount shall be available to support capacity development and sustainability of the civil society organisations and the sector. Under Section 7.4 Programme modalities and design (in the bid form) bidders may solve this by integrating indicators for capacity development for each programme area outcome and/or include a separate outcome for capacity development

Question 3.6: Given the information required on the bid form regarding section 5.2, which level of detail should be provided on the management structure organigram: only the roles and relationships involved in decision-making? Could some of the information already outlined in section 5.2 be incorporated as well?

Answer: The organigram should provide comprehensive overview of the proposed management structure, clearly describing how the programme will be managed. The organigram should be aligned with the information provided section 5.1 of the bid form.

Question 3.7: Regarding the indicators to be proposed in the bid, and at this stage, is it required that only the most important ones from Annex D to the ToR are presented, or should bidders present a comprehensive set of indicators?

Answer: The bid should certainly identify as a minimum all relevant indicators from Annex D to the ToR. If the bidder is able to suggest additional relevant indicators, for the proposed outcomes, this would very useful to demonstrate the overall logic of the programme, its focus on results, and also the level of ambition.

Question 3.8: We are bit confused by this particular condition: "The consortium includes at least one organisation that was not a member of the operating consortium of the EEA and Norway Grants NGO programme in the previous programming period. The consortium is led by an organisation that did not hold the lead/sole operator role during the preceding EEA and Norway Grants programming period."

Could you be so kind and helpful to clarify this condition? Does it apply just for the previous NGO Funds' POs?

Answer: Please note that the eligibility criteria for the selection of Fund Operator are included in section 4.2 of the Terms of Reference (ToR). The criterion referred to in your e-mail is an evaluation criterion listed in section 4.3 of the ToR, and the two sentences should be read in conjunction. Therefore, the second sentence refers to consortiums operating the EEA and Norway Grants NGO programme.

Question 3.9: Should the Active Citizens Fund take into account the thematic focus of other EEA and Norway Grants' programmes?

Answer: Yes, the applicant is encouraged to consider potential synergies with other EEA and Norway Grants' programmes and other relevant funding sources. See section 7.1 of the Bid Form. Additional support in identifying these synergies will be provided to the selected bidder during the programme development phase.

Question 3.10: Is it possible to identify a project promoter for a PDP in the bid?

Answer: According to section 7.8 of the Manual for Fund Operators, pre-defined projects are implemented by one or more organizations selected on a competitive basis. In justified cases, a pre-defined project may be implemented by the FO. All provisions related to project implementation stipulated in the Manual also apply to PDPs, thus the rules on eligible project partners (pg. 38 of the Manual)

Question 3.11: What is the rationale for awarding additional points to new consortium partners and new consortium leads, as stated in evaluation criterion 2.2 in Section 4.3 of the ToR?

Answer: In order to further build and expand on the re-granting capacity of civil society organisations in the beneficiary states as well as encouraging broader representation from the civil society in the management of the Active Citizens Fund, additional points are awarded to bidding organisations new to the Grants or new to the role of consortium lead. The additional scores awarded for new leads in consortiums should thus not be regarded as reflecting any opinion or assessment of the current FO set up.

Question 3.12: According to Programme Implementation Agreement, section 4.5 Project grant rate and co-financing “The Programme can provide up to 90% of the eligible expenditure of the NGO project.” Therefore: i) Is this rate a criterion on the basis of which our bid will be evaluated? ii) If the answer to (i) is positive, will a lower rate get higher marks than a higher rate, and what is the underlying logic for this?

Answer: The requirement on project grant rate and co-financing refers to the project grant rate provided to the recipients (NGOs) of the re-granting amount within the Programme. The Fund Operator is not required to provide co-financing when applying for the role of Fund Operator.

Question 3.13: On what criteria is the experience in capacity building evaluated?

Answer: Sections 2.2 and 2.3 of the Terms of Reference describe the responsibilities of the Fund Operator for building capacity and supporting project preparation and implementation. Section 4.3 (evaluation criterion 3.5) describes the criteria against which the bid’s description of the capacity building approach will be evaluated. The Bid Form section 2.2 and 7.5 sets out the information the bidder should provide on their experience in building capacity. Sections 5.6 and 5.7 of the Manual further describe the required approach to building capacity and supporting organisations. Experience relevant to these should be included in the bid.

Question 3.14: In section 7.5 of the application form, is it expected that specific activities would be proposed or would these be specified after the selection of the fund operator?

Answer: At the stage of submitting a bid, it is not expected that specific activities are proposed. It is expected that the strategy and approach will be described.

Question 3.15: In section 6 (setup of the consortium) you ask about each members contribution in preparing the programme. Does this refer to:

- a) activities prior to the preparation of the bid
- b) the actual writing of the bid, or
- c) the 6-month consultation period, or
- d) a combination of the above?

Answer: The information provided in section 6 of the Bid Form is used to assess whether the definition of roles in the consortium is strategically designed and leverages the skills and capacities of the

consortium and also the level of participation of consortium members in the design and implementation of the programme. You are asked to describe what each consortium member will contribute to the Programme and thus a combination of the above may be relevant when providing information on the different consortium members role and involvement in preparing the programme.

Question 3.16: Is capacity building support under the programme only available for project promoters, or also for others?

Answer: Capacity development should be integrated across the programme. A minimum of 15% of the re-granting amount should be available for capacity development of civil society organisations and the sector. Project promoters and their partners are eligible for re-granting funds. However, capacity development is also a focus of other elements of the programme, such as the Regional Civil Society Initiatives, Bilateral Cooperation and Support for Project Preparation and Implementation. Potential applicants for project funds, and other civil society stakeholders, are eligible under these.

Question 3.17: Is there a number of people who should come to the stakeholder consultation? How do we decide who comes?

Answer: Prior to the stakeholder consultation, the Fund Operator, together with the FMO, maps and identifies stakeholders relevant to the programme, including the areas of support, country-specific concerns, programme area specifics and other elements of the programme content. There is no minimum or maximum number of stakeholders that should come to the stakeholder consultation.

Question 3.18: Our organization is focused on youth engagement. Is it a problem for the FO role that our organization is focused on this?

Answer: Many civil society organisations have a specific focus. Youth inclusion shall be addressed by all ACF programmes, but the topics to be addressed by the programmes go beyond youth inclusion. During the bidding phase, the thematic focus of the programme and the consortium members will be assessed.

Question 3.19: In the Manual, you suggest a two-step process for project applications (first a concept/proposal, and then a full application). Have you considered other processes?

Answer: The Manual describes requirements for selection of projects, and also suggests possible ways to approach this. In some cases, a two-stage procedure may be beneficial, but the bidder is free to propose in their bid what kind of selection procedure they wish to suggest.

Question 3.20: Have you considered as part of building capacity of informal groups allowing them to be project promoters?

Answer: Informal groups can be eligible to be project partners. The Manual describes what kind of project partners are eligible.

Question 3.21: Will an increase to the management fee be considered if the bidder requests it?

Answer: In accordance with Section 2.3 of the ToR, 'In exceptional cases, the bidder may propose a higher ceiling for the management fee in order to provide support for project preparation and implementation beyond what is described [in section 2.3]. This amount should be justified and should never exceed the indicated management fee by more than 30%'.

Question 3.22: With regard to the outcomes: shall at least 1 of the possible outcomes per area of support from the left column of the table in the ACF Guidance on Outcomes and Indicators 2014-2021 and at least 1 indicator from the list be selected? Is there any possibility to change the outcomes (develop a new one)?

Answer: Yes, please choose from the suggested outcomes per Area of Support, and also choose at least one suitable indicator(s) per outcome. You are free to develop your own outcomes, but we have found that most other ACF programmes to date have chosen from the suggested list.

Question 3.23: Is the bid form focused on outlining the main points of the consortium programme – and this programme will be defined in detail once the Fund operator is already chosen?

Answer: Yes, the Bid Form will provide the basis for evaluation and selection of a Fund Operator, and should provide information as specified in the Terms of Reference and Bid Form. The detailed programme will be developed after a Fund Operator has been selected and in close cooperation with the Financial Mechanism Office, with input from stakeholders including civil society.

Question 3.24: On what basis should the programme indicators be developed if the baseline will be done after the FO has been announced?

Answer: The submitted bid should set out which indicators are being proposed to measure the programme's results (outcomes). The indicators do not need to have a baseline or target value at bid stage, since these will be further developed during the Concept Note phase. Guidance on suggested indicators may be found in the ACF Civil Society Results Manual, [here](#) and on <http://activecitizensfund.org>.

Question 3.25: The ToR indicates that the bidder may propose up to 30% higher ceiling for the management fee. Please elaborate on what those exceptional cases might be, for example, would a baseline study and external Program impact assessment be considered as an exceptional case?

Answer: In exceptional cases, the bidder may propose a higher ceiling for the management fee in order to provide support for project preparation and implementation beyond what is described in section 2.3 of the ToR. This amount should be justified and should never exceed the indicated management fee by more than 30%. The examples mentioned in the question above would not be justified. An exceptional case could be where the FO provides specific support to weaker NGOs in under-served regions or targeting vulnerable groups. Each case is assessed individually, taking into account the country context.

Question 3.26: According to the ToR, paragraph 3.1. Budget "the lead organisation in the consortium shall be allocated a maximum of 70% of the management fee". Are there any other requirements (we seem to have found none) regarding the distribution of the remaining minimum 30% among other Consortium members?

Answer: There are no set requirements regarding the distribution of the management fee among the consortium members besides that the lead organisation in the consortium shall be allocated a maximum of 70%. Within this scope, please also bear in mind that the proposed distribution of the management fee between the consortium members should be proportionate to the tasks carried out by each of them.

Question 3.27: When the capacities of the consortium are assessed, in which way and to which degree is the capacity of the lead applicant assessed separately, as compared to the total capacity of the consortium?

Answer: The evaluation criteria 2.1 in the section 4.3 of the ToR looks at the composition and division of roles with the consortium, that they are clearly explained, strategically designed and leverage respective skills and capacities of consortium members. It is important that the lead applicant's role in the consortium has been clearly described and matching the proposed share of the management fee, also reflecting that the lead applicant will be the main interlocutor to FMO and bearing the responsibility for the implementation of the programme. In addition, the eligibility criteria in the section 4.2 of the ToR requires that the lead applicant should be non-profit making, while also fulfilling all the other general eligibility criteria.

Question 3.28: What happens if it is not possible to find a Fund Operator based on the tender?

Answer: In accordance with the Terms of Reference section 5.3 the FMO is not bound to accept any of the submitted bids, irrespective of the number or quality of the bids received. It reserves the right to reject all bids received and to make, if it deems fit, a new request for tenders.

Question 3.29: Can the relevant experience of a staff member be longer than his/her experience in a bidding organisation?

Answer: Yes. The section 5.1 of the bid form asks the bidder to describe the project and programme management experience, technical expertise and knowledge of the issues to be addressed of the staff proposed. No limitation is given when this experience is gained, ie it can be gained already in the previous employment.

Question 3.30: What is the best lead of the consortium – the one with best financial background or the one with regranting experience?

Answer: According to the section 4.2 of the ToR the lead bidder has to satisfy all the general eligibility criteria and in addition the lead bidder has to be non-profit making with a non-commercial purpose. In addition, at least one consortium member has to have sufficient re-granting experience and at least one consortium member has to have sufficient experience in strengthening civil society capacity and

sustainability. The consortium set-up is also evaluated in the evaluation criteria 2.1 (please see ToR section 4.3).

Question 3.31: How will the criterion of cost effectiveness be assessed?

Answer: In the bid, we want to see that what you propose in the budget is clearly justified, realistic and makes sense for the programme.

Question 3.32: In how much detail should we describe the breakdown of management fee?

Answer: The breakdown of the management fee should take into account all the main responsibilities of the FO as described in section 2 of the ToR. The indicative breakdown template of the management fee per each task, bearing in mind the main responsibilities of the FO can be found in the manual for fund operators in section 5.9 and Annex B of the ToR.

Question 3.33: How many pre-defined projects (PDPs) could be proposed in the programme? Are there any limits for the budget of the PDPs?

Answer: The ToR does not set a limit on the number of PDPs that can be proposed. However, a central principle for the programme is that the funds that are re-granted to civil society through the programme shall be allocated through open calls for proposals. PDPs can be considered only in exceptional and duly justified cases. The ToR does not include a minimum or maximum grant size for PDPs, but these projects usually require a larger budget and longer implementation period than projects selected through open calls. Please see Section 7.8 of the Manual for Fund Operator for further details.

Question 3.34: In a consortium of three partners can there be a breakup of the roles and budget for the lead applicant 50%, 1st partner 30% and 2nd partner 20% or are there set percentages?

Answer: As stated in the Terms of Reference section 3.1., the lead organisation in the consortium shall be allocated a maximum of 70% of the management fee. As long as, this rule is respected, the bidder is free to propose the percentage management fee to each consortium partner.

4. Regional civil society initiatives and bilateral cooperation

Question 4.1: Who can be partners under regional civil society initiatives? Can we only partner with one other FO for all the regional civil society initiatives, or can it be different from event to event?

Answer: Regional civil society initiatives are organised by at least two Fund Operators of the Active Citizen Funds in different beneficiary countries, or by the Fund Operator together with another EEA/Norwegian Financial Mechanisms Programme Operator in the same beneficiary country, and may also be initiated by the FMO or Donors. Participants in Regional Civil Society Initiatives can include the FOs, other EEA and Norway Grants Programme Operators, project promoters and their partners, and civil society stakeholders, as well as international organisations. More information can be found in section 5.4 of the Manual for Fund Operators of the Active Citizens Fund.

Question 4.2: What are good examples of Regional Civil Society Initiatives? Who will coordinate and implement them? Is this up to the Fund Operator to organise activities with regional cooperation dimension or is it meant to providing grants for regional cooperation or both?

Answer: Regional Civil Society Initiatives are organised by at least two Fund Operators of the Active Citizen Funds in different beneficiary countries, or by the Fund Operator together with another EEA/Norwegian Financial Mechanisms Programme Operator in the same beneficiary country, and may also be initiated by the FMO or Donors. Participants in Regional Civil Society Initiatives can include the FOs, other EEA and Norway Grants Programme Operators, project promoters and their partners, and civil society stakeholders, as well as international organisations. Thus Regional Civil Society Initiatives are coordinated by the Fund Operator. More information can be found in section 5.4 of the Manual for Fund Operators of the Active Citizens Fund, including examples. More information on eligible expenditures can be found in section 9.2 of the same Manual.

Question 4.3: Within the bilateral relations funding modality, we would like to foresee not only the grants for strengthening the bilateral relations, but also the matchmaking events, which in our opinion are necessary for the successful partnerships between the prospective applicants. The events would be organized by the FO. From which budget lines the funding for the matchmaking events, specifically the travels and associated costs of the prospective partner organisations from the donor countries, should come from? Does it need to be covered from the management fee line or it could be covered from other lines as well?

Answer: Costs related to the participation of potential Donor project partners in partner search (including matchmaking events) is eligible under the Fund for bilateral relations as per Article 5.1.2 b) of the Programme Implementation Agreement.

Question 4.4: How detailed should the bid be regarding regional civil society initiatives and whether there is information available what the other ACF in other countries are planning for the regional civil society initiatives? How they are these activities linked to the Fund for Regional Cooperation?

Answer: The Fund for Regional Cooperation is a separate fund under the EEA and Norway Grants and should not be confused with the Active Citizens Fund Regional Civils Society Initiatives. The Bid Form section 7.6 asks the bidder to describe how the Programme will support regional exchange, in terms of promoting the transfer of learning, good practice and knowledge across civil society, dissemination of successful approaches, adoption and use of knowledge gained through exchange, networking and cooperation around thematic issues. The bid should only include initial thoughts for the Regional Civil Society Initiatives. These will be further explored during programme development.

5. After selection of the Fund Operator/programme implementation

Question 5.1: The timeframe for contracting the Fund Operator is a concern, and might cause a funding gap between the current and future funding period. What is the flexibility in terms of timing when it comes to the contracting phase?

Answer: The FMO will work together with the selected Fund Operator to ensure efficient progress towards concluding a Programme Implementation Agreement. To this end, section 7 of the Terms of Reference states that the FMO reserves the right to select the next highest-scoring bidder, if an agreement with the selected bidder cannot be reached within six months of selection of the FO.

Question 5.2: What is the timeline for concluding a Programme Implementation Agreement with the selected Fund Operator?

Answer: The estimated timeline from selection of the Fund Operator to signature of the Programme Implementation Agreement is six months.

Question 5.3: The Manual for Fund Operators of the Active Citizens Fund sets out strict requirements, especially with regards to financial requirements, e.g. payments, proof of expenditure. How much flexibility will the Programme Implementation Agreement allow for?

Answer: All financial requirements defined in the Programme Implementation Agreement are legally binding. Chapter 9 'Financial Management' of the Manual for Fund Operators of the Active Citizens Fund explains these requirements in more detail in order to avoid misinterpretation and common errors. In addition, it provides Fund Operators with examples (see blue textboxes) and guidance on best practices (see textboxes marked 'good practice').

Question 5.4: How should the programme area specific 'the programme shall include youth inclusion' be addressed?

Answer: The programme area specific on youth inclusion (see Terms of Reference section 1.4) requires that the programme addresses youth inclusion, but it is for the Fund Operator to decide how to do this. Youth inclusion can be addressed using any of the programme components (see Chapter 5 of the Manual for Fund Operators of the Active Citizens Fund). It is up to the bidder to propose how this is best covered considering the country context.

Question 5.5: Can we find previous reports on results of the current programming period in the relevant Beneficiary State?

Answer: Information on the overall results of the NGO Funds under the 2009-2014 mechanism is included in the [EEA and Norway Grants Annual Reports for 2015](#). The 2014 Mid-Term Evaluation of the NGO Funds 2009-2014 is available [here](#), and an end-of-programme evaluation is foreseen in 2018.

Question 5.6: Who can implement a pre-defined project?

Answer: As described in section 7.8 of the Manual for Fund Operators of the Active Citizens Fund, pre-defined projects may be implemented by one or more organisations (an NGO, private or public entity) selected on a competitive basis but may also be implemented by the Fund Operator in justified cases. Pre-defined projects may be proposed in the bid, or agreed with the FMO after the selection of the Fund Operator. Proposed pre-defined projects should be included in the 'programme modalities and design' (see section 7.4 of the bid form).

Question 5.7: If experts from the NGO sector will take part in preparation of the bid and the content of the programme, will the NGOs they work for be eligible to apply for grants under the programme? What about if they members of an expert group advising during the implementation of the programme?

Answer: Detailed rules on conflict of interest are provided in section 7.4 of the Manual for Fund Operators of Civil Society Programmes. It is explained that the Fund Operator shall take every reasonable measure to guarantee the integrity and the objectivity of the selection process of applicants. The first situation is related to the preparation of the programme, thus not directly related to the implementation. The second situation described would be considered a conflict of interest.

Question 5.8: A question about reporting on the management fee: how will it be reported from the side of the FO? In case of reporting with invoices, will they be VAT exempted? No relevant text is to be found in the text of the PIA template included in the bid documentation.

Answer: The management fee shall cover the costs of the Fund Operator related to preparation, implementation and management of the programme. Details related to the management fee payments and reporting are described in Chapter 9 of the Manual for Fund Operators of the Active Citizens Fund - section 9.3.1(a) and 9.3.2 respectively. The management fee amount is without VAT. A VAT exemption certificate can be provided by the FMO for each payment of the fee following a submission of the invoice by the Fund Operator.

Question 5.9: Shall state aid regulations (de minimis rules) be applicable to the regranting amounts under the programme?

Answer: According to Article 107(1) of the Treaty on the Functioning of the European Union (TFEU) 'Save as otherwise provided in the Treaties, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the internal market'. Accordingly, four criteria need to cumulatively apply in order to consider an aid to be 'incompatible' state-aid:

- aid derives from public funds or through state resources to undertakings
- aid confers and advantage
- aid is selective
- aid affects trade between members states and distorts competition

Due to the non-commercial nature of the projects, it seems highly unlikely that grants provided within the ACF to project promoters would affect trade between the member states and distort competition. Consequently, one of the four criteria is doubtful to apply.

Question 5.10: In the case of pre-defined project, justified for implementation by the FO itself, would a partnership with an external organization to the consortium be considered eligible for its implementation?

Answer: Yes, partnership with an external organization to the consortium could be considered eligible when the FO is implementing the pre-defined project. The rules on project partnership detailed in section 7.1 of the Manual for Fund Operators of the Active Citizens Fund apply accordingly, meaning that project partnership shall not be mistaken for sub-contracting. Project partners shall share a common economic or social goal through the implementation of the project, and partners shall cooperate throughout the entirety of the project realisation.

Question 5.11: The Civil Society Results Manual states that ‘each project belongs to a programme and may contribute to one or more programme outcomes’. In the case of a project that contributes to more than one outcome, how shall we count its budget? Since each outcome is a separate budget line, our understanding is that each project (project budget) has a clear reference to one outcome only (budget line). Our alternative interpretation is that at the evaluation stage, data for indicators (achievement), could be cross-counted in outcomes, if projects funded under different budget lines contribute to a given target. Is this correct?

Answer: If a project contributes to more than one programme outcome, the project budget will need to be split/estimated by outcome. To facilitate the calculation, the project will need to know which of the programme output(s) it is contributing to, under each of the outcomes.

Question 5.12: In the Civil Society Results Manual it is written that ‘a single programme should normally not have more than four outcomes’. If this is the case, shall we count capacity building/sustainability outcomes separately (in addition to the 4 outcomes chosen for the thematic areas), or outcomes are recommended to be up to 4 altogether (excluding the bilateral outcomes and the outcomes for regional initiatives)?

Answer: The capacity building/sustainability outcome relates to building the capacity of civil society, and shall be a separate outcome with appropriate indicators. This outcome is in addition to any other programme outcomes chosen. Please note that the number of outcomes depends on the size/focus of the programme.

Question 5.13: Supposing that the chosen outcomes are limited number (as suggested in the Civil Society Results Manual – up to 4) and the FO would like to offer opportunity for funding projects in all (almost all) thematic areas mentioned in the ToR, than: would it be possible that the chosen outcomes (for instance advocacy/watchdog role developed) correspond to more than one thematic area? For instance, advocacy can be done for human rights, but also for empowerment of vulnerable groups and good governance – in this example we have the same functional outcome, applicable to 3 thematic areas. Is such intervention logic eligible, or it is obligatory to choose different outcomes for the different thematic areas?

Answer: Yes, it is possible to have a single advocacy/watchdog outcome, and to distinguish between the different thematic areas by using a separate indicator for each thematic area (eg advocacy for vulnerable groups, advocacy for gender equality).

Question 5.14: The scholarships according to national law in the country is income and thus scholarships would be taxed?

Answer: National law must be observed.

Question 5.15: How can a 'vulnerable group' be defined? Which group is 'vulnerable'?

Answer: It is expected that the bidder shows knowledge of the vulnerable groups in the country in question grounded in recent reliable research and consultation. Please see also guidance under the Civil Society Results Manual (Annex 2 'Guidance on outcomes and indicators for the Active Citizens Fund').

Question 5.16: Could you clarify a bit more on the possibility for institutional grants?

Answer: As stated in the ToR section 2.2, the Programme shall contribute to the sustainability of civil society organisations and the sector, in terms of their capacity to sustain their activities financially, institutionally and at policy level and continue to pursue their mission after the support of the Grants ends. There are many different measures to increase the sustainability and capacity of the sector and individual NGOs, including institutional/core grants. These type of project grants can be provided to the NGOs to develop their strategic work. Please see further information on the focus on capacity building and sustainability under the Active Citizens Fund in section 5.6 of the Manual for Fund Operators of the Active Citizens fund, in particular the second example of capacity building at sector level.

Question 5.17: Is it possible to award grant to an individual person, not just an organisation (a legal entity)? As Active Citizens Fund wants to support civil society building and support an outreach to regions, we have an experience, that in many local communities are active single citizens or groups of citizens/activists not belonging to any organisation, not affiliated to any legal entity. But these activists are important civil society members, very often the only one being active in a community and some of them later establish a formal organisation. We would like to support their efforts as we perceive them to be very important elements of civil society. We have experience of few grant schemes where these activists or so called non-formal groups of active citizens can receive grants and legally it is a single person of legal age designated by the group to legally represent them. In some case in order to receive a grant they have to open a special bank account where only the finances for the project are registered, not others or private finances of account holder...

Answer: The possible need to involve informal groups in the implementation of the projects within the Active Citizens Fund is recognised by the Donors and FMO. Consequently, the eligibility rules on project partners have been developed in such a way to enable the participation of informal, ad hoc, and self-help organisations (including grassroots organisations), that are not registered legal entities to be eligible as project partners. Please see further details on the rules to involve informal groups in projects in section 7.1 (under 'Eligible applicants and partners') of the Manual for Fund Operators of the Active Citizens Fund. The applicable provisions are also included in the relevant section of the Programme Implementation Agreement (paragraph 4 of Article 6.1).

Question 5.18: In PIA part 6.2 on open calls it is stated ‘they shall include a clear and reasonable deadline, which shall be at least two months from the date of the publication of the announcement, and an address for submission’. Does this mean that a particular date needs to be set or can the call be opened continuously if the ‘at least two months’ condition is fulfilled?

Answer: According to point c) of Article 6.2 of the Programme Implementation Agreement, the call for proposals shall include a clear and reasonable deadline, which shall be at least two months from the date of the publication of the announcement. Thus, all call for proposals should have a final submission deadline indicated in the call text. Should the deadline be set much later than after two months of the publication, please ensure that the organising of the call (and the selection procedure) respects the principles of implementation (Article 1.4 of the PIA).

Question 5.19: We are an organization that might have the designated role to take care of the capacity-building component within a consortium. This includes provision of training and mentoring support for the grantees, without taking part (or with strictly defined and very limited role) in the evaluation or selection of the grantees for funding under the ACF. As we carry out various on-going capacity-building programs and activities which go beyond what would be covered under the ACF programme, we would like to clarify the following questions:

1. Would it be a conflict of interest if grantees that receive capacity-building services from our side (as consortium member) under the EEA/Norway program, participate in another program of ours, separate from the capacity-building activities covered under the EEA/Norway contract. They pay us for these capacity-building services from other resources (not their EEA/Norway grant).
2. Would it be a conflict of interest if grantees receive legal assistance from our side, different from any legal assistance to be covered under the EEA/Norway contract, for issues affecting their organizations for which they pay a fee (that are not covered by their EEA/Norway grant).
3. Would it be a conflict of interest if grantees take part in publicly announced trainings organized by us but not included by the EEA/Norway contract. Grantees pay a fee (that may or may not be covered by their EEA/Norway grant).
4. We manage a coworking space rented out to NGOs. Grantees rent space from us for holding events or using office space at publicly announced prices (the expense for renting space may or may not be covered by their EEA/Norway grant). Would this be considered conflict of interest?

Answer: According to section 7.5 of the Manual ‘a situation of conflict of interest arises when a person involved in the selection process has a direct or indirect interest with one or more of the applications or applicants. This can happen for example by way of economic, political, family, emotional, personal or professional ties, that in one way or another jeopardise that person’s impartiality and/or objectivity.’ The examples provided would most likely constitute a situation of either a direct or indirect economic or professional tie between a member of the consortium and the potential applicant for capacity building activities, should the said consortium member be involved in the selection procedure. More detailed assessment of these questions, and whether there is an actual conflict of interest could however be provided only once the details of the management set-up of the

consortium, including the clear division of roles and tasks between the members, as well as detailed description of the planned capacity building activities have been presented.

Question 5.20: Related to Section 1.4 and 2.2 of Terms of Reference, at least 15% of the total re-granting amount for capacity development and sustainability of civil society, including NGOs. The rough estimate for capacity building shall be considered reached: 1) only if the amount is directly connected to the outcomes enlisted in Section 2 of annex D? or 2) the amount can include also measures/actions/projects contributing relevantly to the indicative outcomes enlisted in Section 1 of the same annex, but (for these outcomes) we add additional indicators relevant to capacity building and sustainability as encouraged through footnote number 1 to Section 1?

Answer: The indicators of capacity building and sustainability in section 2 of annex D may be adapted and included in the indicators in section 1 of annex D where relevant. The Fund Operator has to be able to track and report about the funding for capacity building (minimum 15% of the regranting) to the FMO.

Question 5.21: The whole programme should be closed in 2024. Can you please specify concrete dates when all projects/grants should be closed (all fiscal documents will be eligible only before this concrete date)?

Answer: With reference to projects, the first and final date of eligibility should be specified by the FO in the project contract. Costs within projects may be eligible from the date on which the grant is awarded or at a later date set in the project contract. The project contract shall set the final date of eligibility of costs which shall be no later than 30 April 2024. Costs incurred after that date are not eligible. Exceptionally, costs in respect of which an invoice has been issued in the final month of eligibility are also deemed to be incurred within the dates of eligibility if the costs are paid within 30 days of the final date of eligibility. More information can be found in section 9.2.1 a) of the Manual for Fund Operators of the Active Citizens Fund, including examples.

Question 5.22: What is the maximum duration of a project that a project promoter can apply for?

Answer: As the required maximum duration of a project is not defined neither in the ToR or the Manual for Fund Operators of the Active Citizens Fund, it is up to the discretion of the Bidder/Fund Operator. Defining the exact scope of projects (including duration, grant amount, etc.) to be funded within the programme is foreseen to be part of the programme development phase and later within the programme implementation. However the Bidder is invited to provide as much information as possible in the Bid regarding the programme modalities and design, as this is one area of the content assessment as described in the evaluation criteria (see section 4.3 of the ToR).

Question 5.23: Will there be ongoing assistance during the project? Should there be any queries throughout the project, will information assistance be available?

Answer: It is the primary responsibility of the selected Fund Operator to support the project promoters throughout the project. The selected Fund Operator will work closely with FMO in

developing the programme and the FMO as the Programme Operator of the Active Citizens Fund will assist and support the FO in their role during the programme implementation.

Question 5.24: What is the duration of the programme?

Answer: The operational period of the programme is set until 31 December 2024. The final date of eligibility of project expenditure is 30 April 2024.

Question 5.25: Can the Fund Operator provide capacity building throughout the duration of the programme directly to selected projects or will it have a pure management role?

Answer: The Fund Operator is required to provide mentoring, coaching and guidance to project promoters, for the purpose of supporting project implementation, and strengthening the organisational capacity and sustainability of project promoters. Please see more details on this support role of the Fund Operator in section 5.7 of the Manual for the Fund Operators of the Active Citizens Fund.

Question 5.26: What type of individual technical support can be provided to applicants?

Answer: The Fund Operator is required to provide information, support and learning opportunities for potential applicants for the purpose of supporting project preparation (section 5.7 of the Manual for the Fund Operators of the Active Citizens Fund). This may include, as a minimum:

- Develop clear call texts and guidelines for applicants
- Organise information sessions for potential applicants regarding the call and application process
- Answer questions and queries regarding open calls
- Disseminate the questions and answers in a manner accessible to all applicants
- Ensure geographic outreach and inclusion of vulnerable groups in the activities supporting organisations preparing and implementing projects
- Identify potential applicants/target groups that would require extra support in order to be able to submit an application/implement a project.

Question 5.27: Can the fund operator contribute to the adjustment of the programme priorities throughout the duration of the programme?

Answer: The Programme shall be implemented within the framework of the Active Citizens Fund (ToR sections 1.2-1.8) and in line with the signed Programme Implementation Agreement and its Annexes. During the implementation period, there might be a need to amend the Annexes to the Programme Implementation Agreement e.g. in order to adapt to changed circumstances on the ground. Amendments to the Annexes of the Programme Implementation Agreement may be proposed by the Fund Operator, which shall describe and justify the modification, in line with Article 15.4 of the Programme Implementation Agreement template. Any modification is subject to formal approval by the FMO.

Question 5.28: If one of the consortium members is implementing a pre-defined project, are costs for implementing the projects tied to the project budget or can it come from the management fee?

Answer: Only costs related directly to the project can be charged to and considered eligible under that project. The management fee shall cover the costs of the Fund Operator related to the preparation, implementation and management of the programme (see Section 5.9 of the Manual for Fund Operators of the Active Citizens Funds).

Question 5.29: We understand that all documents from the consortium/lead bidder to the FMO should be in English. Can the members of the consortium communicate between themselves with documents in their national language?

Answer: You are correct that according to Article 1.9 of the PIA template, all communication between the Parties shall be in English. This means that all communication from the consortium/lead bidder to the FMO shall be in English. The PIA template includes further requirements for information which should be provided in English, such as the programme website, call texts and the Selection Committee minutes. The members of the consortium may communicate between themselves in their national language, but if considered necessary, the FMO can also request this information to be translated into English.

Question 5.30: Is it only the lead bidder who reports to the FMO?

Answer: It is only the lead partner of the consortium that will report directly to the FMO.

Question 5.31: Will the payments be made to only the lead bidder and it is their responsibility to split it between consortium members or will FMO make payments proportionally by itself? Will the first option involve VAT here in beneficiary state?

Answer: The management fee will be paid by the FMO to the lead bidder. The lead bidder will in turn make payments to the consortium partner(s) based on the partnership agreement between the entities. VAT exemption can be given by the ministry of finance in Belgium on an invoice by invoice basis. FMO requests this and sends it to the FO. The FMO does not grant the VAT exemption, hence for each time a Fund Operator submits an Interim Financial Report to the FMO, the invoice(s) therein will be sent to the Ministry of Finance, asking them for a VAT exemption for each invoice. Once the VAT exemption is granted, the FMO will pay the lead partner accordingly and it is for the lead partner to further distribute the management fee to the partner(s).

Question 5.32: Within part 9.7.2 of the Manual for Fund Operators of the ACF it is stated that the costs incurred directly by the Fund Operator shall be subject to an independent external audit. Does it mean that also the costs of the Fund Operator covered by the Management Fee shall be subject to the given audit?

Answer: The management fee shall not be subject to the independent external audit mentioned in the section 9.7.2 of the Manual for Fund Operators. Costs incurred directly by the Fund Operators,

within the framework of any bilateral, regional and pre-defined projects, shall however be subject to an independent external audit.

Question 5.33: Does the Regulation apply to the ACF?

Answer: The Regulation on the implementation of the EEA (and Norwegian) Financial Mechanism 2014-2021 does not apply to the ACF. (see Article 6.13 of the Regulation)

Question 5.34: If the Fund Operator is the project promoter for the PDP and has staff allocated to running the PDP, should the staff costs be covered under the management fee or the PDP?

Answer: The PDP is part of the regranting allocation. Therefore all the project costs, including those of the dedicated staff, should be covered under the PDP, also in the cases where the Fund Operator is a PDP project promoter.

Question 5.35: In the manual it is stated that for each PDP there should be contract concluded between the Fund Operator and project promoter. If the PDP is implemented by the Fund Operator, what would be the project contract like in these cases?

Answer: If the PDP is managed by the Fund Operator, the programme implementation agreement (PIA) will include the details of the PDP. The Fund Operator shall provide further details during the programme development phase on how it will ensure separating roles and functions of the PDP management from the Fund Operator role.

Question 5.36: Within part 9.5 of the Manual for Fund Operators of the ACF it is stated that payments to projects shall be set out in a way that a positive cash flow is ensured for the project promoters. Does it mean that it would not be possible to adopt a mechanism of retention money (reasonable volume) within financial flows towards projects, not even in connection with scrutiny/approval of the final project reports?

Answer: Project promoters should be able to pay in a timely manner to third parties. This however, should not prevent the FO to establish reasonable and proportionate mechanisms (e.g. retention) in order to safeguard the funds. The level of advance payments and their off-set mechanism shall be proposed during the programme development and set in the PIA. The level of advance payment shall be adequate and shall ensure a regular financial flow at project level.

Question 5.37: Presuming that part of the programme expenditures (e.g. individual expenditures of the FO within Regional Civil Society Initiatives) will be executed in local currency, how shall these be translated into EUR – in terms of Interim/Final financial reports?

Answer: As reporting and accounts are in Euro, payments to another currency should be recorded with the actual exchange rate used for the transaction.

Question 5.38: On the basis of the ToR, section 1.6 Country specific areas and concerns, it is required that the programme provides assistance (among others) for vulnerable groups. However, in

the Programme Implementation Agreement, section 1.6 Programme area specifics, it is mentioned that “Provision of welfare and basic services shall only be supported as part of wider actions addressing awareness-raising, advocacy, empowerment and reform initiatives.” To this end, please be so kind as to specify if the provision of direct assistance to vulnerable groups via responsible entities (e.g. NGOs) that is eligible or not and to what extent?

Answer: The country-specific concerns in 1.6 of the Terms of Reference may require that ‘empowerment and inclusion of vulnerable groups’ is provided by the programme. This is in line with the programme-area specific ‘Provision of welfare and basic services shall only be supported as part of actions addressing awareness-raising, advocacy, empowerment and reform initiatives’. For all Active Citizens Funds, there is an emphasis on empowerment, awareness-raising and advocacy/reform as essential dimensions to supporting inclusion of vulnerable groups. Empowerment measures can include: facilitating access to/promoting fundamental rights; stimulating participation in decision making; advocacy, awareness-raising and outreach to citizens; learning/using advocacy techniques; economic empowerment such as increasing livelihood opportunities; increasing employability; empowering women and girls to assert their rights; watchdog and monitoring; civic education etc.

Question 5.39: Is the cost of the development phase (i.e. the stage before signing the Programme Implementation Agreement (PIA)) included in the management fee and will the expenses that have been made by the Fund Operator for the development of the programme be reimbursed after the signing of the PIA? In case the bidder and the FMO do not sign an agreement, will all preparation costs be borne by the bidder?

Answer: In accordance with section 5.9 of the Manual for Fund Operators of the Active Citizens Fund (Annex E) the management fee shall cover the costs of the FO related to the preparation, implementation and management of the Programme. The management fee in line with Article 2.2.1 a) of the Template PIA (Annex C) an advance payment of 10% management fee shall be paid fourteen days after the signature of the agreement. In case the FMO and the bidder organization will not sign an agreement in the end, the preparation costs need to be covered by the non-selected Bidder.

Question 5.40: If one of the organizations in the planned consortium (say X) has in its board of trustees leaders from other NGOs (smaller NGOs, Y, Z), is the participation in the consortium of NGO X, putting at risk the chances for the smaller NGOs Y, Z to apply for grants? How you addressed such issues regarding conflict of interest?

Answer: According to section 7.5 of the Manual ‘a situation of conflict of interest arises when a person involved in the selection process has a direct or indirect interest with one or more of the applications or applicants. This can happen for example by way of economic, political, family, emotional, personal or professional ties, that in one way or another jeopardise that person’s impartiality and/or objectivity.’ If NGO X as a consortium member has leaders from NGO Y and NGO Z on its board of trustees, it may potentially constitute a situation of either direct or indirect economic, personal or professional tie between NGO X as a member of the consortium and NGO Y and Z as potential applicants. Fund Operators in all beneficiary states need to comply with the

requirements set in Article 6.5 of the Programme Implementation Agreement template as well as section 7.5 of the Manual.

Question 5.41: In case we decide not to select a particular Outcome, is it possible to use an indicator corresponding to this Outcome under another Outcome that we would like to select? (e.g. we decide to take an indicator from Outcome 2 and use it for Outcome 1, while we do not want to select the Outcome 2). Using this indicator means that we have to allocate a certain amount for the Outcome from where we have taken it, even if we do not select that particular Outcome?

Answer: If an indicator, tentatively pegged to a different outcome than the one the FO wishes to fund, fits the outcome the FO wishes to fund, there is no problem using that indicator. However, the chosen indicator should have a logical link to the funded outcome and measure a relevant aspect of it. In our opinion, that should have no repercussions for the allocation of funding. And NO, if you 'borrow' an indicator from an outcome you do not fund, you do NOT have to allocate any funds to the non-included outcome.

Question 5.42: In case of a project funded under the capacity building outcome, if the project promoter will organize a fundraising campaign and will raise a certain amount of money, is the organization obliged to spend it during the implementation period of the project or these funds can be allocated to the reserve fund of the NGO or spent after the project end?

Answer: In accordance with Article 4.5.3 of the programme agreement template, when setting a project grant rate, the Fund Operator shall take into account any economic benefit, e.g. costs savings or increased profit, which is a result from receiving a financial contribution. Economic benefits shall be used in a manner which supports the long-term objectives of the project.

Question 5.43: In case of one pre-defined project to be implemented by the FO in partnership with an external organization to the consortium, is it possible for that organization to be also project promoter under one of the Calls for proposals to be organized within the Programme? Is this considered as a conflict of interest situation?

Answer: According to section 7.5 of the Manual 'a situation of conflict of interest arises when a person involved in the selection process has a direct or indirect interest with one or more of the applications or applicants. This can happen for example by way of economic, political, family, emotional, personal or professional ties, that in one way or another jeopardise that person's impartiality and/or objectivity.' As the Fund Operator is responsible for the selection of projects under the open calls, there could be a potential conflict of interest where an applicant is also the partner of the Fund Operator in a pre-defined project. A more detailed assessment of this question, and whether there is an actual conflict of interest can however be provided only once the details of pre-defined project as well as the management set-up of the consortium, including the division of roles and tasks with regards to the selection process, have been presented.

Question 5.44: Is VAT included in the management fee? Is there an invoice for it?

Answer: See Q/A 5.31

Question 5.45: How are the instalments for the management fee scheduled? How much is retained until after the final report is submitted?

Answer: As described in the Terms of Reference section 3.1, the FMO will retain up to 15% of the management fee, which will be paid after the final programme report is approved by the FMO. In accordance with Annex C (Template Programme Implementation Agreement), 14 days after PIA signature, the FMO issues 10% of the management fee. After submission of the Management and Control System, the FMO issues an advance on the re-granting amount. Any further payments are issued based on the submitted interim financial reports.

Question 5.46: What is a re-granting account? Is it true that money for re-granting funds is not held in our bank account?

Answer: There are two accounts, one for the management fee and one for the re-granting funds that you will re-grant to the project promoters. The management fee is transferred to the FO's account. The re-granting account is opened by the FMO. The signatories of this account will be from both FMO and the FO. Transfers from the re-granting account will go to the accounts of the project promoters.

Question 5.47: Can members of the consortium apply for grants through the open calls?

Answer: No, members of the consortium may not apply for grants through the open calls in the Active Citizens Fund. As the Fund Operator is responsible for the selection of projects, this is considered to be a conflict of interest pursuant to Article 6.5 of the PIA.

Question 5.48: For budgetary planning purposes, can the Fund Operator set the cut-off dates for the budgetary year themselves?

Answer: For internal planning you can use your own time periods and budgetary years. The reporting to FMO will be bi-annual and follow FMO's reporting schedule. The budget will be for the whole implementation period and not by year.

Question 5.49: If consortium board members work for a grant applicant, does this constitute a conflict of interest?

Answer: According to section 7.5 of the Manual 'a situation of conflict of interest arises when a person involved in the selection process has a direct or indirect interest with one or more of the applications or applicants. This can happen for example by way of economic, political, family, emotional, personal or professional ties, that in one way or another jeopardise that person's impartiality and/or objectivity.' If consortium board members work for a grant applicant this may potentially constitute a situation of either direct or indirect economic, personal or professional tie between consortium board members and the potential applicant, please also see question 5.41.

Question 5.50: The regulation, which is not applicable for ACF, contains the possibility of cost per unit (on the project level). The manual for FOs doesn't mention this option. Are costs per unit possible in the scope of ACF? And what about flat rate for other costs, not just overheads (e.g. salaries)?

Answer: The eligible costs for projects are the direct eligible costs that is listed in the FO manual and will be in the PIA between FMO and FO. There will also be a flat rate available for indirect costs as described in the FO manual. Eligible costs are actuals, no unit costs are eligible. The flat rate for indirect costs is the only flat rate eligible.

Question 5.51: Is the Fund Operator required to have a bank guarantee for the retained portion of the management fee?

Answer: No. Section 5.9 of the Manual for the role of fund operator states that "The FMO will retain 15% of the management fee. The retained amount shall not be paid until the Final Programme Report has been approved by the FMO." This replaces what in previous funding mechanisms has been covered by a bank guarantee.

Question 5.52: Will the FO be able to use some of its onboard staff as experts for assessment of the content of the project applications? Can 1 of the 2 required impartial experts be directly related to FO.

Answer: Yes. In accordance with Article 6.4.2 of the Programme Implementation Agreement template "Each project application (...) shall be scored by two impartial experts appointed by the Fund Operator. At least one expert shall be independent of the Fund Operator." More detailed rules on the selection procedure can also be found under section 7.4 of the Manual.

Question 5.53: In the Civil Society Results Manual (part III) it is specifically indicated that the stakeholder consultations feeding into the ACF Programme Concept note should be facilitated by trained facilitators. Could you please specify what do you mean by trained? Could the staff of FO possessing such competences perform such task or the FMO expects that the external facilitators should do this?

Answer: The selected FO will organise a stakeholder consultation in coordination with the FMO, which will provide the trained facilitators needed.

Question 5.54: Will there be possibility to continue cooperation in countries outside the EEA?

Answer: The Programme Implementation Agreement, Article 6.1.3 describes the general rule for the project partners' eligibility which includes non-governmental organisations established as a legal person in a country outside the European Economic Area that has a common border with the Beneficiary State.

Question 5.55: The programme puts a strong focus on democratic impact on active citizenship and social cohesion and empowering vulnerable groups. There is a new wave in Europe of active citizenship concentrating primarily on limiting of rights of certain groups, focusing on the rights of majority endangered by rights of minorities. Are the areas of support coherent, in terms of area of support on democracy and active citizenship versus area of support on human rights and

empowerment of vulnerable groups?

Answer: Article 1.4.1 of the Programme Implementation Agreement clearly states that “the Programme shall be based on the common values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.”

Question 5.56: Will the FMO organise a conference on good governance, human rights and rule and law in advance of the selection of the FO in order to provide information on these topics to civil society?

Answer: The FMO will first select the Fund Operator and any conference would then take place only after the selection of the Fund Operator, as part of the programme design.

Question 5.57: Can the FO create partnerships during the programme with organisations that are not consortium members in order to do capacity building in a particular geographic area?

Answer: The Fund Operator can cooperate with other organisations in order to enhance capacity building of the project applicants or project promoters. However, in the Bid already this information should be clearly provided. Furthermore, it should be noted, that the main responsibilities of the Fund Operator (as included in Article 2.1 of the PIA) can be only sub-contracted by a prior written authorization of the FMO before entering into such sub-contract. An organisation that is not part of the bidding consortium is not considered a partner, but a sub-contractor if approved by the FMO pursuant to Article 14.2 of the draft PIA.

Question 5.58: What is to be covered by the management fee?

Answer: The management fee covers all responsibilities of the Fund Operator as described in Article 2.1 and 1.11.3 of the draft PIA

6. Country-specific questions: Poland

Question 6.1: What is the difference between the national and regional fund?

Answer: The ACF-National and ACF-Regional in Poland will have the same thematic areas. The focus of the Regional FO will be more on activities that have impact at the local and regional levels. The ACF-National will have impact at both national and local levels. When the FOs are identified, we want them to work together to ensure synergies and avoid double funding.

Question 6.2: Outreach to rural areas is stated as a country-specific concern for the National Fund. We understand that this will also be important for the Regional Fund. What emphasis should we put on outreach to rural areas in the national fund?

Answer: We want to see outreach to rural areas in all Active Citizens Funds. We have found that outreach is necessary to achieve the programme objective and ensure the programmes reach under-served areas and target groups. We expect to see this in both National and Regional ACF in Poland.

Question 6.3: The call for the regional FO role will be announced later. In what stage in the process of selecting the national FO will you announce the call for the regional FO?

Answer: We would like to find strong FOs to manage both ACF-National and Regional roles. Candidates who apply for the National role and are not selected can apply for the Regional role. Therefore, we are organizing the tenders sequentially. We selected the ACF-National FO before we launched the tender for the ACF-Regional role.

Question 6.4: Can the same organization be the member of a consortium that will apply for ACF-National and ACF-Regional?

Answer: Organisations who successfully bid for the ACF-National role are not eligible to bid for the ACF-Regional role. If they do not succeed in their bid for the ACF-National role, they may apply for the ACF-Regional role.

Question 6.5: Do all areas of support have to be addressed under the ACF-Regional alone, or is it in combination with the ACF-National in Poland?

Answer: in line with the country-specific concerns for both the ACF-Regional and the ACF-National, all five areas of support shall be addressed by each programme.

Question 6.6: How can I develop my bid for the ACF-Regional, taking into consideration the ACF-National and identifying synergies and complementarities, when the ACF-National has not yet been developed?

Answer: The bidder is not expected to have full knowledge of the content of the ACF-National, since that programme is at the early stages of development. However, the bidder for the ACF-Regional is expected to demonstrate in their bid an understanding of the requirement to cooperate closely and share information with the Fund Operator of the ACF-National, as well as an understanding of the points in the process of programme development and implementation where such cooperation and exchange of information is needed. This includes the requirement to cooperate with the ACF-National FO described in section 2 (main responsibilities of the FO) sub-sections 2.4, 2.5, 2.6, 2.7, 2.9, 2.10 and 2.11.

7. Other questions

Question 7.1: Are there any similar tenders for other countries and where could we find information about these?

Answer: Information about the ACF tenders in other countries can be found at <https://eeagrants.org/ActiveCitizensFund2014-2021>.

8. Abbreviations

ACF – Active Citizens Fund

CB – Capacity building
CSO – Civil society organisation
FMO – Financial Mechanism Office
FO – Fund Operator
NGO – Non-governmental organisation
PIA – Programme Implementation Agreement
PDP – Pre-defined project
ToR – Terms of Reference