

Version 26 March 2012

The decision taken by the ESPON Monitoring Committee on 8 February 2012 on the eligibility of the proposals submitted for the 9th ESPON Calls for Proposals resulted in an appeal from a potential beneficiary. The ESPON 2013 Programme gives this possibility in accordance with the Programme Manual, chapter 8.12.

A potential beneficiary appealed by letter of 27 February 2012 the above decision taken by the ESPON Monitoring Committee concerning the eligibility of their proposal submitted for the theme 'Economic Crises' under Priority 1.

The proposal has been deemed non-eligible, as one of the private project partners had not been considered solvent by the relevant Monitoring Committee Member. According to the explanation given by the MC Member, the Project Partner had not submitted the requested solvency documents for private applicants as it was listed in the Application Pack of the call.

The Appellant in its letter acknowledges that the initial application did not include all necessary documentation. Nonetheless, the Appellant claims that the missing solvency related documents have been completed in the framework of correctable omission. As a consequence, the Appellant considers that the proposal has complied with all formal requirements of the call for proposal and on that basis challenges the decision of the ESPON Monitoring Committee of 8 February 2012. Furthermore, the appellant requested a detailed explanation is requested why the solvency of their Project Partner has been refuted.

The ESPON Managing Authority with the involvement of the concerned Monitoring Committee Member processed the appeal according to the Programme Manual, chapter 8.12, decided by the Monitoring Committee, and part of the Management and Control System approved by the Commission for the ESPON 2013 Programme, which offers the possibility to appeal to the formal procedure conducted in relation to the evaluation leading to the proposal not being selected for contracting.

The involvement of the MC Member was necessary considering that part of the eligibility checks assessing solvency documents of private applicants is the responsibility of the relevant Member/Partner State

According to the procedures described in the Programme Manual, the ESPON Coordination Unit (CU) reassessed the steps followed in the eligibility check of the proposal of the appellant, and, on 16 March 2012, the ESPON MC took the following decisions in relation to the appeal raised:

In conclusion, based on the reassessment of the procedures in relation to the eligibility check, it has been confirmed that they have been conducted following the steps envisaged in the Programme Manual and in the Application Pack issued for the call. No system errors have been reported or discovered and no procedures have been violated in relation to the eligibility check of the proposal.

The solvency of the private applicant has been reassessed by the relevant MC member and after careful consideration it has been concluded that the documentation provided is complete and sufficient to confirm the solvency.

Based on this reassessment of the MC Member, the MA/CU came to the conclusion that the proposal comply with eligibility criteria, and hence it is considered eligible.

The ESPON MA informed with letter of 19 March 2012 the appellant about the decision of the ESPON MC.