Budapest, 25 April 2022

CALL FOR PROPOSALS FOR GRANT AGREEMENTS

FOR THE IMPLEMENTATION OF CEPOL ONSITE TRAINING ACTIVITIES 2023

RESTRICTED TO CEPOL FRAMEWORK PARTNERS

1. INTRODUCTION - LEGAL BACKGROUND

CEPOL implements onsite activities in close cooperation with Framework Partners.

In line with the Decision of the Governing Board 25/2011/GB[1] and the Executive Director's Decision No. 17/2022/DIR, the Executive Director of the European Union Agency for Law Enforcement Training (CEPOL), invites the CEPOL Framework Partners to send applications for the implementation of CEPOL's onsite training activities (hereafter referred to as 'activities' or 'training activities') in the year 2023.

The present Call for Proposals (hereinafter referred to as "the Call") is procedurally governed by:

- TITLE VIII GRANTS of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012[2]

The present Call is based on the CEPOL's Preliminary Work Programme 2023 as presented in the Draft Single Programming Document YEAR 2023 –YEAR 2025[3] and the List of Granted CEPOL Activities in 2023 approved by the Management Board[4].

[1] Decision 25/2011/GB of the Governing Board of the European Police College enacting the mandate the Director to establish and implement the grant application procedure and to conclude CEPOL Framework Partnership and Grant Agreements and repealing Governing Board Decision 26/2010/GB.
[2] OJ L 193, 30.07.2018, p.1
[3] Management Board Decision 23/2021/MB on the CEPOL Draft Single Programming Document 2023-2025 adopted on 23 November 2021 and its subsequent amendment 32/2021/MB adopted on 21 December 2021
[4] Management Board Decision 10/2022/MB on the List of Granted CEPOL Activities in 2023 adopted on 08 April 2022

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2. OBJECTIVES

The present Call aims to contribute to the European law enforcement cooperation by providing learning opportunities that meet the highest level of international excellence. The list of activities was approved by the Management Board Decision 10/2022/MB on the List of Granted CEPOL Activities in 2023 adopted by the Management Board on 08/04/2022. The activities offered for grant applications are listed in the CEPOL Training Catalogue of Granted Activities 2023 (Annex 3).

As defined in the Training Catalogue of Granted Activities 2023, training activities are available for applications in two forms:

- Single activities.
- Sets of activities. Activities within a set are not available for application as single activities.

The implementation of training activities consists of the following actions:

- Organising all logistical aspects of the activities except international travel for participants. The international travel for the participants will be organised by CEPOL;
- Carrying out the activities in line with the Integrated Guidance Note for CEPOL Onsite Training Activities (Annex 2);
- Implementing activities in a suitable, secure training environment;
- Providing adequate accommodation facilities meeting international standards;
- Planning and implementing the activities at high quality covering all educational aspects (programme, learning outcomes/objectives, delivery methodology, subject matter experts and/or trainers, the use of LEEd, online learning modules, research findings) in line with the aim, target group and learning outcomes indicated in the CEPOL Training Catalogue of Granted Activities 2023 (Annex 3).
- Delivering final reports in accordance with the requirements set in the 'Integrated Guidance Note for CEPOL Onsite Training Activities'.
- Liaising with CEPOL on the budgetary implementation of the activity for the purpose of early identification of savings/underspending.

Force majeure clause:

In case the Partner is not able to implement the onsite training as proposed, the grant is cancelled or alternatively in case of *force majeure* the parties may agree to transform the onsite training to online training. In the latter case the Partner must request the change in advance. The Call for Proposal for Grant Agreements for the Implementation of CEPOL Onsite Training Activities 2023 provides this possibility to enable that EU law enforcement training is continued during 2023.

The Framework Partnership Agreement includes the legal basis to manage force majeure situations. Article II.9 states: "Force majeure shall mean any unforeseeable exceptional situation or event beyond the parties' control which prevents either of them from fulfilling any of their obligations under the agreement, was not attributable to error or negligence on their part, and proves insurmountable in spite of all due diligence." The Framework Partnership Agreement also includes the procedure to follow in these situations.

Please see a detailed guideline concerning the possible transformation of onsite activities to online activities in case of force majeure in Annex 9.

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3. TIMELINE

Distribution of the Call	**25 April 2022**
Informative webinar on the Call	12 May 2022, 14.00 - 15.30 (CET)
Inquiries concerning the Call	02 September 2022
Submission of grant applications via email	**18 September 2022**
Evaluation of grant applications	26 Sept – 14 October 2022
Awarding grants	All information available on 20 October 2022. The formal awarding of grants is possible after the approval of EU budget.

4. EVALUATION OF APPLICATIONS

The assessment of the eligibility of the submitted applications will be performed by an independent Opening Committee, while the evaluation of the applications will be carried out by an independent Evaluation Committee, appointed by the CEPOL Executive Director. The Evaluation Committee will be assisted by additional CEPOL staff members providing purely administrative support and having no voting rights. No observers will be admitted during the assessment of eligibility and evaluation process.

Opening Committee:

The Opening Committee shall examine the eligibility of the applications in comparison with the set criteria (see below under points 6-9).

Evaluation Committee:

The Evaluation Committee shall screen the applications in comparison with the awarding criteria (see below under point 10).

Clarifications regarding the application procedure:
Please note that **CEPOL will hold an informative webinar on the Call for Proposals on 12 May 2022, 14.00-15.30** (CET time). During this webinar the main aspects of good a grant application will be described in detail along the features of the Call.

Registration to this webinar is possible with the link provided in the cover letter of the Call or here: **https://register.gotowebinar.com/register/8497875104633206285**

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As a further measure, applicants may contact CEPOL for clarifications concerning the terms and conditions or the form of submission during the application stage. These clarification requests, questions in relation to the grant application process are to be received in grants@cepol.europa.eu no later than **02 September 2022**.

Any questions received after the deadline will not be accepted. The questions and the CEPOL responses will be communicated to all Framework Partners and will be published on the CEPOL website (section grants). The record of the questions and given replies will form the integral part of the Evaluation Report made by the Evaluation Committee. Requested clarifications will not affect the further evaluation process and its results.

Further contact concerning the grant application procedure between members of the Evaluation Committee/Executive Director and the applicants are **not** allowed and cannot serve for exchanging information on the evaluation of individual cases.

At the initiative of the members of the Evaluation Committee or the Executive Director, contact is allowed to clarify issues concerning the application which the Evaluation Committee or the Executive Director are not in a position to assess properly. This contact is allowed as long as it is in line with the principle of equal treatment and does not give rise to legitimate expectations on the part of the applicants contacted. Such contact will be recorded in writing and included in the Evaluation Report.

After the awarding decision, further contact is allowed in order to clarify whether any changes could affect the implementation of the original proposal. Additionally, negotiations may be held between CEPOL and the successful candidate in order to achieve a realistic (reduced) budget for the activity. Contact between CEPOL and the candidates must be in compliance with the principle of equal treatment. Any changes shall not call into question the initial awarding decision.

5. BUDGET AVAILABLE AND FORM OF FINANCING

The **total maximum budget** earmarked for the financing of projects financed under the present Call is **EUR 1,491,800.00** (one million four hundred and ninety-one thousand eight hundred Euros). (course costs not including travel costs)

CEPOL will finance no more than 95% of the total eligible costs of an activity.

As the final CEPOL budget is not known at the time of the drafting of the Call for Proposals, further adjustment of the list of activities may be required at a later stage.

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6. ADMISSIBILITY REQUIREMENTS

In order to be admissible, applications must be:

- sent to grants2023@cepol.europa.eu no later than the deadline for submitting applications referred to in section 3;
- submitted in writing (see section 16), using the forms annexed to the present call
- drafted in English

Failure to comply with those requirements will lead to rejection of the application. For more guidance related to submission practicalities, please consult section 16 'Procedure for the submission of proposals' of the present call.

7. ELIGIBILITY CRITERIA

7.1. Eligible applicants

Participation in the Call is restricted to the Framework Partners of CEPOL[5]. Framework Partners may apply either individually or in a consortium of Framework Partners. It is noted that consortia are encouraged to apply for implementing the sets of activities.

In the event of an individual submission, the submission of the application as well as the supporting documents is to be performed by the Framework Partner or by a mandated supervisory entity as long as the latter is indicated in the Framework Partnership Agreement signed in the framework of the Call for Framework Partners.

In the event that an application is submitted by a consortium, dully filled and signed Partnership Form (see Annex 6) is required. The leader of the consortium shall be responsible for the submission of the application and all the other required documents. Partners cannot withdraw their participation from a consortium from the moment the grant is awarded to the consortium and the grant decision has been signed.

7.2. Eligible activities

The type of activities eligible under this Call refers to the activities as described in the CEPOL Training Catalogue of Granted Activities 2023 (see Annex 3).

8. EXCLUSION

8.1. Exclusion Criteria

The authorising officer shall exclude an applicant from participating in call for proposals procedures where:

(a) the applicant is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its

[5] See list of Framework Partners on the CEPOL website and the Decisions of the Executive Director 47/2020/DIR and 48/2020/DIR.

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business activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under EU or national laws or regulations;

(b) it has been established by a final judgment or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;

(c) it has been established by a final judgment or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful intent or gross negligence, including, in particular, any of the following:

  (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract, a grant agreement or a grant decision;

  (ii) entering into agreement with other applicants with the aim of distorting competition;

  (iii) violating intellectual property rights;

  (iv) attempting to influence the decision-making process of the Agency during the award procedure;

  (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

(d) it has been established by a final judgment that the applicant is guilty of any of the following:

  (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;

  (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in the applicable law;

  (iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;

  (iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;

  (v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

  (vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

(e) the applicant has shown significant deficiencies in complying with main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;

(f) it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;

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(g) It has been established by a final judgement or final administrative decision that the applicant has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations of mandatory application in the jurisdiction of its registered office, central administration or principal place of business;

(h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g);

(i) for the situations referred to in points (c) to (h) above, the applicant is subject to:

(i) facts established in the context of audits or investigations carried out by European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;

(ii) non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;

(iii) facts referred to in decisions of persons or entities being entrusted with EU budget implementation tasks;

(iv) information transmitted by Member States implementing Union funds;

(v) decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or

(vi) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

8.2 Remedial Measures[6]

If an applicant declares one of the situations of exclusion listed above (see par. 8.1), they must indicate the measures it has taken to remedy the exclusion situation, thus demonstrating their reliability. This may include, for example, technical, organisational and personnel measures to correct the conduct and prevent further occurrences, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to the declaration. This does not apply for situations referred in point (d) of par. 8.1.

8.3 Rejection from the call for proposals

The authorising officer shall not award a grant to an applicant who:

(a) is in an exclusion situation established in accordance with par. 8.1; or

(b) has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information; or

(c) was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equal treatment, including distortion of competition, that cannot be remedied otherwise.

[6] Article 136(7) FR

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Administrative sanctions (exclusion) may be imposed on applicants if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

8.4 Supporting documents

The applicant must provide a declaration on honour in its name and on behalf of all consortium members, certifying that they are not in any of the situations referred to above in par. 8.1, by filling in the relevant form annexed to the present call for proposals (see Annex 8).

9. SELECTION

9.1 Selection Criteria

The selection criteria assess the applicant's ability to complete the proposed action or work programme. In this respect, applicants have to submit a Declaration on Honour (see Annex 8).

9.2 Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out and to participate in its funding.

9.3 Operational capacity

Applicants must have the professional competencies as well as the appropriate qualifications necessary to complete the proposed action.

10. AWARDING CRITERIA

The awarding criteria allow the evaluation of the quality of the proposals in relation to the objectives of the call. Received applications will be assessed on the basis of the following criteria:

1.	Activity concept	– maximum points	20
2.	Content details	– maximum points	40
3.	European dimension	– maximum points	10
4.	Learning environment	– maximum points	20
5.	Cost effectiveness	– maximum points	10
	Total	– **maximum points**	**100**

The evaluation will be carried out in two stages:

1) To begin with, the Evaluation Committee will evaluate the first four criteria listed under the awarding criteria.

2) Only applications that reach the threshold of 70 points (out of 90) will then be evaluated with regard to cost effectiveness (criterion 5). In the context of the assessment of this criterion, applications below the threshold of at least 5 (out of 10) points shall be rejected.

Budget flexibility clause: An application may be considered valid with a financial bid of a maximum of 10 % above the indicated maximum budget of the activity, if the extra costs above the maximum budget are exclusively attributable to the introduction of an innovative educational element that could not be covered within the regular budget of the activity. The budget flexibility clause is

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established in order to ensure that applicants with innovative but costly improvement ideas are not excluded from the grant application mechanism. Please note that this budget flexibility component cannot be used to cover regular costs (e.g. accommodation, meals, networking event). In case of the use of a budget flexibility clause, the applicant must attach a note to the financial proposal providing a detailed explanation about the nature of the innovative educational element including a cost estimate. Applications with this budget flexibility element – provided the required explanation is delivered in sufficient detail – will be awarded 5 points for the financial bid and will not be disqualified.

The points for the financial bid are awarded as follows:

- 5 points: 0%-5% less than the maximum budget available or applying the flexibility clause (see above) ;
- 7 points: 5%-15% less than the maximum budget available;
- 10 points: more than 15% less than the maximum budget available.

For sets of activities, the above-mentioned two-stage evaluation is to be done by taking into account the average result for all activities within the set and the total budget for all activities respectively.

An application can be proposed for a grant by the Evaluation Committee provided the application:

- has reached the threshold of at least 75 points **and**
- has the highest rating within a group of applicants for the specific activity/ies.

The decision to award the grant shall be made by the Executive Director in his role of Authorising Officer on the basis of the recommendations made by the Evaluation Committee. This decision shall bear the form of an award decision, which will then be communicated to the applicant.

The Authorising Officer may depart from the recommendations made by the Evaluation Committee, if he feels this is appropriate and justified, e.g. in accordance with certain strategic priorities, while observing the compliance with the eligibility criteria, the selection criteria and the award criteria laid down in this Call for Proposals.

11. LEGAL COMMITMENTS

When CEPOL awards a grant, a grant decision drawn up in Euros detailing the conditions and level of funding will be sent to the grant beneficiary. The implementation of the action may begin only after grant decision has entered into force.

12. FINANCIAL PROVISIONS

12.1 Co-financing, rules on eligible costs

The grant per training activity is limited to a maximum co-financing rate of 95% of eligible costs. Details on the rules covering the reimbursement of eligible costs incurred can be found in the Integrated Guidance Note (see Annex 2).

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12.2 Non-cumulative award

An action may only receive one grant from the European Union budget. Under no circumstances shall the same costs be financed twice by the Union budget or any other funds. To ensure this, applicants must indicate the sources and amounts of Union funding applied for or received for the same action or part of the action or for its functioning during the same financial year, as well as any other funding applied for or received for the same action.

12.3. Non-retroactivity

No grant may be awarded retrospectively for actions already completed or for actions carried out before the grant agreement was signed.

12.4 Sub-contracting

Where the implementation of the action requires subcontracting (e.g. the purchase of some services and/or goods, equipment, etc.), the following criteria must be satisfied:

- the grant beneficiary must award the contract to the bid offering the best value for money or the lowest price (as appropriate) and which avoids conflicts of interest;
- the beneficiary must retain the documentation in case of an audit;
- subcontracting may only cover the implementation of a limited part of the action;
- it must be justified with regard to the nature of the action and what is necessary for its implementation; and
- it must be clearly stated in the application.

13. PUBLICITY

13.1. By the beneficiaries

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used.

In this respect, beneficiaries are required to give prominence to the name and emblem of CEPOL on all their publications, posters, programmes and other products realised under the co-financed project.

13.2. By CEPOL

All information relating to grants awarded in the course of a financial year shall be published on CEPOL's website no later than the 30 June of the year following the financial year in which the grants were awarded.

CEPOL will publish the following information:

- name of the beneficiary;
- address of the beneficiary when the latter is a legal person;
- subject of the grant;
- amount awarded.

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Upon a reasoned and duly substantiated request by the beneficiary, the publication shall be waived, if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

14. FURTHER INFORMATION

Submission of a grant application implies acceptance of all the terms and conditions set out in this Call. It is binding for the applicant to whom the grant is awarded for the duration of the grant decision.

This invitation to apply for a grant is in no way binding for CEPOL. CEPOL's contractual obligation commences only upon signature of the grant decision. Up to the point of signature, CEPOL may either abandon the grant application procedure or cancel the award procedure without the applicants being entitled to claim any compensation. This decision must be substantiated and the applicants duly notified.

CEPOL retains ownership of all applications received under this call for grant applications. Consequently the applications cannot be returned to the applicants. CEPOL will not disseminate received grant applications to other applicants.

All cost incurred in preparing and submitting grant applications are borne by the applicants and cannot be reimbursed. All applicants will be informed whether or not their application has been successful.

15. DATA PROTECTION

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EU) No.2018/1725[7] on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Any personal data requested are required to evaluate the application in accordance with the specifications of the call for proposal and will be processed solely for that purpose by Head of Training Unit in CEPOL. Personal data may be registered in the Early Detection and Exclusion System by the Commission, should the grant beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/1046. For more information see the Privacy Statement on: https://ec.europa.eu/info/data-protection-public-procurement-procedures_en.

Applicants are expected to gain permission for processing the personal data of any individual whose data is included in the application in line with the respective applicable national law.

[7] OJ L 295, 21.11.2018, p. 39

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16. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

16.1 Forms to be submitted

In order to qualify for a grant for the implementation of training activities, the **following forms must be completed, signed** (electronic signatures are accepted by CEPOL) **and submitted**:

- **Application Form 2023** (Annex 4: one for each activity/each set of activities).
- Partnership Form 2023 for each consortium partner, duly filled and signed (Annex 6: one for each consortium partner) – only if applicable.
- **Financial Proposal 2023** (Annex 7).
- **Declaration on honour 2023** (Annex 8).

All the forms must be:

- signed by a person authorised to sign legally binding commitments on behalf of the applicant, (electronic signatures are accepted by CEPOL)
- completed by means of a computer so that there can be no doubt as to words and figures due to illegibility;
- drawn up while using solely the forms annexed to the present Call (completed forms can be scanned and submitted in pdf).

16.2 Sending of applications

CEPOL is accepting grant applications sent via email in order to ease the administrative burden of applicants. Please note that CEPOL applies various security measures for the safekeeping of competitive grant applications. Therefore, you must follow the following procedure of sending applications:

- **Grant application packages must be sent exclusively to the following functional email box: grants2023@cepol.europa.eu**
- **Deadline of sending applications: 18 September 2022**
  Applications received after the deadline will not be considered.
- Do NOT send grant applications to any other CEPOL email address!
- Do NOT copy-paste any CEPOL staff member when you send your grant application!
- Do NOT send documents of many grant applications in one email! Please send one application email per each activity (or set of activities) that you are applying for!

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- In the subject/text of the application email please clearly indicate the followings:
    1. Reference number of the activity you are applying for
    2. Name of your organisation, country
    3. Framework Partnership number
    4. List of annexed files

Example of a grant application email:

*To: **grants2023@cepol.europa.eu***

Subject: grant application 03/2023 - Federal Police Academy, Austria - FPA-2020-001

Attachments: Application form_03/2023; Financial proposal_03/2023; Declaration of honour, (Partnership form if applicable)

Dear CEPOL,

Please find attached grant application package for activity 03/2023 as follows:

- *Grant application for 03/2023: "Migrant Smuggling - Digital Investigations"*
- *Applicant: Federal Police Academy, Austria*
- *FP number: FPA-2020-001*
- *Enclosed files: Application form_03/2023; Financial proposal_03/2023; Declaration of honour, (Partnership form if applicable)*

Kind regards,

- You can resubmit your grant application until the final deadline if you realise that you had made a mistake. Nevertheless, please review your application carefully before sending it, as processing repetitive emails will hinder and delay the grant evaluation process. If you resubmit a grant application, please clearly refer to your earlier email application specifying which previous email shall not to be considered anymore.

Yours sincerely,

Ms Montserrat Marín López
Executive Director

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