

European Commission

Directorate General Information Society

Interfaces, knowledge and content technologies applications. Information Market

eContent

GUIDE FOR PROPOSERS

CALL III

**EUROPEAN DIGITAL CONTENT
FOR THE GLOBAL NETWORKS**

<http://www.cordis.lu/eContent>

Foreword

The Guide

The Guide for Proposers is part of the information necessary to make a **project proposal** under the eContent Programme. It provides the necessary guidance on how to submit a proposal or an application and the forms necessary. It is divided into two sections with an appendix referring only to section II.

Section I describes the objectives, strategy, structure and content of the programme.

Section II describes the conditions for participation in activities within the programme, the proposal preparation and the process whereby the Commission selects from the proposals submitted.

Appendix 1 outlines the **proposal** content and structure:

Part A: the proposal submission forms

Part B: the nature of the work, the role of the participants and the contribution to Programme and broader Community objectives

Part C: the acknowledgement of receipt

Additional Information

The additional documents you will need to prepare a **proposal** are:

1. The **Council Decision** which sets the objectives of the Programme and highlights action lines.
2. The **Work Programme** for the years 2003 – 2004 which provides the description of the content of the action lines and an indicative timetable for programme implementation, the “*roadmap*”.
3. The **Call for Proposals** as published in the Official Journal of the European Communities, which tells you which action lines are open under a given call and what the deadline for the proposal submission is.
4. Possible **Call-specific Background Notes** as published on the website.
5. The Guidelines for evaluators.
6. The **Model Contract**, especially the **General Conditions**.

All the above documents are downloadable from the eContent website at <http://www.cordis.lu/econtent/> or can be obtained from the eContent Information Desk:

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Directorate-General Information Society
eContent Information Desk
Office EUFO 1181
L-2920 Luxembourg
Fax: +352-4301-34959
E-mail: econtent@cec.eu.int
URL: <http://www.cordis.lu/econtent>

This Guide for Proposers does not supersede the rules and conditions laid out in the Council Decision establishing the Programme and the associated Calls for proposals.

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I. The *eContent* Programme

I.1. Objectives

The Council Decision of 22 December 2000 establishing a multi-annual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information society¹, defines the Community objectives addressed by the *eContent* Programme for the period 2001-2005:

- Helping to stimulate the use of and access for all to the Internet by increasing the availability of European digital content on the global networks to support the professional, social and cultural development of the citizens of the European Union, and facilitating the economic and social integration of nationals of the applicant countries into the information society;
- Stimulating access to and use of European digital content and especially promoting more effective use of information held by the public sector;
- Promoting cultural diversity and multilingualism, especially in the languages of the European union, in digital content on the global networks, and increasing the export opportunities of European content firms, and in particular SMEs, through cultural and linguistic customisation;
- Creating favourable conditions for the reduction of market fragmentation and for the marketing, distribution and use of European digital content on the global networks to stimulate economic activity and enhance employment prospects.

Consequently, the *eContent* programme aims at supporting the production, distribution and use of "European digital content on the global networks" (henceforth *e-content*). It intends to reach its goal by supporting the growth of a healthy and competitive EU digital content industry fit to exploit the opportunities created by new technologies. *eContent* is part of the *eEurope* 2002 and *eEurope* 2005 action plans.

I.2. Strategy

The *eContent* programme is centred around the need of European businesses and citizens to access and use high-quality e-content suited to their needs. This is a sizeable task requiring European content industries to be able to compete globally, stimulating economic growth and contributing to employment creation while safeguarding a balanced social and cultural development of EU citizens. In addition, *eContent* sets for itself the goal of easing the process of economic and social integration of the candidate countries into Europe's Information Society.

Thus, *eContent* is an integral part of the overall strategy of the European Union for the Information Society and contributes amongst other things to:

- increasing European added-value as the development and widespread use of digital content across Europe is important in a number of ways; for example to reach a critical mass in terms of skills; to establish the consensus necessary for standardisation; or to assist with issues such as interoperability and reusability;

¹ OJ L 14, 18.1.2001, p. 32

- enhancing European competitiveness as the availability and increased use of digital content support a rapidly increasing range of products and processes throughout the economy which becomes more and more dependent on global networks. To be competitive in the global marketplace, Europe needs to both supply and use such resources;
- supporting cultural diversity and multilinguality as digital content in different languages and reflecting different cultures promotes equality of access for European citizens and mutual understanding across European borders while enhancing Europe's multilingual and multicultural presence on the global networks;
- meeting socio-economic needs as work will target the benefits that available digital content and technologies offer in a broad range of industrial and societal activities, from more competitive methods of working and doing business to higher-quality and lower-cost general interest services or new forms of leisure and entertainment.

I.3. Structure and contents

I.3.1. Action lines

The eContent Programme encompasses three inter-related action lines addressing the following priorities:

Action Line 1: Improving access to and use of public sector information

Subline 1.1: Cross-border information services based on public sector information

Subline 1.2: Establishment of European digital data collections

Action Line 2: Enhancing content production in a multilingual and multicultural environment

Subline 2.1: Partnerships for multilingual and multicultural content

Subline 2.2: Strengthening the linguistic infrastructure

Action Line 3: Increasing dynamism in the digital content market

Subline 3.1: Exchange of good practices

Subline 3.2: Strategic outlook of the content market

Subline 3.3: Management of rights for digital content

Subline 3.4: Dissemination of results

Details on the above action lines and related sub-lines are provided in the Work Programme 2003 – 2004. The workprogramme is downloadable from the eContent web site.

I.3.2. Types of actions supported

I.3.2.1. Cost shared Projects

Demonstration Projects – full scale, end-to-end projects designed to prove the viability of innovative ideas for e-content products and services offering potential economic advantage for industry and public-sector bodies by increasing efficiency, quality, access etc. Projects, which must span all relevant stages from market research and product and/or service design through to field validation and exploitation plans, should be based on state-of-the-art approaches, methods and processes; they should use mainstream technical platforms and commercially available

technologies, and be geared towards business and socio-economic – as opposed to purely technical – innovation. Results should be scalable and replicable; they should be produced through an iterative development and testing process. Proposals should ensure user involvement and be geared towards definite exploitation plans.

Feasibility projects are small scale projects lasting six to nine months designed to provide a framework for early experimentation and appraisal of new ideas. These projects are expected to result in a concrete project ready for further development and implementation with a defined partnership and revenue model at the end of the feasibility phase. By their nature they are expected to ease the participation of small size businesses, especially from Candidate Countries that have not previously participated in the first phase of the programme. Feasibility projects are not supposed to lead to the presentation of demonstration projects at later time.

I.3.2.2. Accompanying measures

Accompanying measures are actions contributing to the implementation of the Programme as a whole. They seek to prepare for or to support other actions within the Programme by promoting ideas, exchanging experiences, disseminating findings etc. in order to provide added value for a potentially much broader cross-section of industry and society. Accompanying measures typically cover best practices, guidelines and standards facilitating industry's access to and (re)use of methods, processes, resources and technologies; awareness and dissemination activities geared towards specific audiences outside the Programme or addressing the eContent participants, with a view to promoting and stimulating a rapid take-up of ideas and results; measures in support of SMEs and new players (e.g. start-ups); consensus and community building actions aiming at improving the exchange of information and forging of new alliances, etc.

I.3.3. Community contribution

The Community will contribute financially to the activities carried out under the Programme, normally up to 50% of the total eligible cost, up to a maximum of €2.5 million in the case of **demonstration projects**, respectively up to €200,000 in the case of **feasibility projects**.

For **accompanying measures** the Community contribution may be and up to 100% for selected activities (cost categories) within the project subject to a maximum of €1 million. Accompanying measures would need to be cofinanced by the contractors, who would need to demonstrate in the proposal their contribution to the project. The Commission could finance up to 100% certain types of costs or fund at 100% a limited number of actions of a larger project.

Studies and service contracts, which are subject to calls for tenders, will be fully funded.

I.3.4. Types of calls

Most activities within the Programme will employ the mechanism of periodic calls, in which proposals will be invited for submission within a defined timeframe, "**fixed deadline proposals**". This type of call applies to demonstration projects and accompanying measures.

Certain activities within the Work Programme will, however, be subject to a **continuous submission scheme**. Proposals and applications will be evaluated in batches at intervals that will depend on the number of submissions received, but which will not exceed four months. This type of call applies to feasibility projects.

1.3.5. Participants

The Programme is open to all legal entities established in the Member States of the European Union, in the EFTA states which are members of the European Economic Area (EEA), i.e. Iceland, Liechtenstein and Norway, and in the following candidate countries: Estonia, Hungary, Latvia, Malta, Poland, e.g. industrial and commercial firms including SMEs, universities and higher-education establishments, associations and public sector bodies, etc.

Community funding will become available to entities established in the candidate countries, i.e. Bulgaria, Republic of Cyprus, Czech Republic, Lithuania, Romania, Slovakia, Slovenia and Turkey, when the appropriate protocols or agreements are signed for their participation in *eContent*. For latest information on entry into force of any agreements with candidate countries allowing for Community contributions to legal entities from these countries, please consult the *eContent* website or contact the *eContent* Information Desk (see II.8.2).

Participation without Community funding is open to legal entities established in third countries and to international organisations, where such participation contributes effectively to the implementation of the programme and is of mutual benefit to the European Union as well as the country where the legal entity is established.

1.3.6. Number of participants

Proposals submitted in response to a Call should exhibit a genuine European dimension. As a general rule, this means that they should normally involve at least two legal entities, independent of each other and established in two different countries that participate in the programme (see I.3.5).

Participants involved in a project form a **consortium** which is not a de-jure but a temporary de-facto entity built upon a peer-to-peer relationship between participants from different countries. The consortium is established with a view to carrying out the project and consists of participants with complementary skills reflecting the main areas addressed by the project. A consortium should consist of participants independent of each other, i.e. not forming part of the same group. Based upon previous experience, successful consortia tend to involve at least three to four participants from two to three countries.

Participants in a proposal fall into a number of different legal categories, according to the participant's role and function (see II.5.3).

Demonstration and feasibility projects should build on multi-party, multi-nation partnerships. So should accompanying measures, although single-country or single-contractor actions are eligible too if the nature of the activities renders a single-party solution more effective, as might be the case in e.g. focused dissemination activities, information exchange or fact finding activities.

1.3.7. Summary

| | Type of Action | Type of Call | Typical Duration | Typical no. of Partners | Typical EU Contribution |
|--|--|-----------------------|-----------------------------------|--------------------------------|-------------------------------------|
| Cost-shared projects | Demonstration projects | Fixed deadline | Up to 30 months (typically 18-24) | 3-8 | Up to 2.5 MEURO 50% funding |
| | Feasibility projects | Continuous submission | Up to 12 months (typically 6 – 9) | 2-4 | Up to 200 KEURO 50% funding |
| Accompanying² measures | Best practice, guides and standards, SME measures, consensus and community building etc. | Fixed deadline | Up to 24 months (typically 18-24) | 1-4 | Up to 1 MEURO up to 100% funding |
| | Programme level awareness and dissemination | | Up to 24 months | 1-2 | Up to 1 MEURO up to 100% funding |
| Studies and service contracts | Studies, surveys, project clustering and concertation, etc. | Call for tenders | Up to 18 months | 1-2 | 100% funding |

1.4. Synergies within the Programme

Clustering

Given the integrated nature of the Programme, **projects** are encouraged to work together, to pool and collectively build on their individual results whenever it makes sense to do so. Project clusters will be actively supported and encouraged in so far as they add value to the results of the Programme seen as a whole. Clusters may centre on a specific action line, but may also be cross-action line in nature. Dedicated accompanying measures may be established to ensure information exchanges and cross-fertilisation. Whilst remaining a voluntary activity, it is anticipated that projects will find it to be in their own interest – and so worthwhile – to actively contribute to the work of specific clusters.

² See section I.3.3

II. Participation in activities of the eContent Programme

II.1. Proposal preparation

II.1.1. Introduction

Calls for Proposals published in the Official Journal of the European Communities open certain action lines for project proposals, indicating what types of actions are expected. In addition to those with a fixed closing date, the Commission opens certain calls on a longer ‘open’ basis, with periodic evaluation of received project proposals. An indicative timetable for the calls, the “roadmap”, is included in the Work Programme.

II.1.2. Optional pre-proposal check

Before developing a full proposal, prospective proposers may make use of the (optional) **pre-proposal check service** by submitting an outline description of the proposal of no more than three pages detailing the planned work, the proposed approach, the associated user and market dimensions, the expected duration and results, and the intended consortium. Pre-proposal should be sent by e-mail to info-calls.econtent@cec.eu.int. The information provided will be treated in full confidence and neither the outcome of the pre-proposal check nor the fact that a pre-proposal check was requested will be communicated to the evaluators of the proposal.

The deadline for submission of pre-proposals is **four weeks** before the applicable deadline. Proposers will receive feedback on their pre-proposal as soon as possible and normally no later than one week after the request.

II.2. Submission of proposals and applications

II.2.1. Language

Project proposals may be submitted in any official language of the European Union. In order to facilitate assessment by independent evaluators, however, an English translation should preferably accompany any proposals written in another language.

II.2.2. Proposal structure

A proposal has two parts:

Part A provides legal and administrative information about the proposal and the proposers (e.g. proposal title and acronym, proposers’ names and addresses) and a summary of the funding requested (total funding requested, breakdown by cost category, etc.). This information is essential for a proper evaluation and will help in the preparation of a contract if the proposal is successful.

Part B is a structured narrative description of the proposed work. It presents the objectives of the project, summarises its rationale and background, and describes the advances that it will make with regard to the state of the art, and its industrial or user context. Furthermore, part B describes the partners and their role, the European added value, its contribution to economic objectives and social policies, the work plan and management, etc.

The forms and lay-out instructions (Part A and B) are included in Appendix 1. Proposers are, however, strongly advised to download an electronic version of the Appendix from the eContent website.

It is of the utmost importance that the notes are studied carefully when the proposal is prepared. Parts of the information required in for instance the Part A forms might not be as straightforward as they seem, so for instance the legal name and the legal address of a participant must correspond exactly to the name and address occurring in e.g. national company registers for companies and in national laws/by-laws/statutes or the like for universities.

The proposal must be prepared and submitted to the Commission on paper following the format given and containing the details described. Proposals must be completed in full. Incomplete applications will be disregarded.

Additional supporting documentation.

In compliance with the new Community Financial Regulations, that will enter into force on 1 January 2003 the following information need to be joined to the proposal:

- a. Applicants will have to provide a declaration that they are not in any of the situations described below:
 - I. They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters;
 - II. They have been convicted of an offence concerning their professional conduct by a judgement which is not open for appeal;
 - III. They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
 - IV. They have not fulfilled obligations relating of the payment of social security contributions or taxes;
 - V. They are guilty of serious misrepresentation in supplying the information required by the authorising department.
- b. The profit and loss account;
- c. The balance sheet for the last financial year for which accounts have been closed;

Evidence should be provided in the form of (a) certificate(s) issued by the competent authority of the Member State concerned or by a declaration signed by an authorised officer of the proposer which certifies that none of the above is the case.

These evidences have to be provided for each partner of the consortium.

When preparing a proposal, proposers must indicate the proposal short title (acronym³) at the top of every page of part B and all annexes. Pages must be clearly numbered.

³ The participants shall bear sole responsibility for assessing that the use of acronyms does not infringe existing trademarks, registered patents and other similar rights.

II.2.3. *Participant agreement for projects*

When submitting a project proposal on behalf of the consortium members, the co-ordinator must ensure that the project proposal submitted contains a signed A2 form⁴ for all participants – contractors and members – who would contribute to the funding of a project.

II.2.4. *Number of copies for projects*

Proposals should be prepared and submitted with:

- five bound copies of Part A
- five bound copies of Part B
- one complete unbound original of all Parts with the signature of the co-ordinator on the A1 form and the signatures of the participants on A2 forms.
- one copy of the additional documentation (declarations, certificates as in section II.2.2).

II.2.5. *Packaging and delivery*

The proposal may be sent by *registered post, hand delivered* or sent by *courier service*.

A package should contain one proposal only. To facilitate handling by the Commission services the package should be double-wrapped and each wrapping marked as follows:

Outer package:

The address of the European Commission as specified in the Call notice:

European Commission
Directorate-General for the Information Society
The eContent Programme
Office EUFO 1181
L-2920 Luxembourg

Inner package:

“Not to be opened by the mail service: eContent Proposal”

The name and address of the sender

The action line of the Call to which the proposal relates

The call identifier as indicated in the Call notice.

Proposals submitted by fax, telex, or e-mail will **not** be accepted. Proposals submitted to the Commission remain the property of the Commission and will not be returned.

II.2.6. *Acknowledgement of receipt*

The package should also contain one completed *Acknowledgement of receipt* form (see Appendix 1, Part C). Once a proposal or application has been received and registered by the Commission, the acknowledgement of receipt will be despatched.

⁴ In exceptional cases an unsigned A2 form will be accepted if accompanied by a letter of commitment signed by the contractor in question.

Proposers or applicants who do not receive an acknowledgement of receipt within three weeks after the submission should contact the eContent Information Desk. Proposers and applicants are reminded that it is their own responsibility to ensure the safe delivery of their proposal/application.

II.2.7. Submission deadline

Submission deadlines for proposals under the fixed deadline scheme are specified in the Call for proposals. Proposals and applications under the continuous submission scheme can be submitted at any time up to the date of closure of the scheme.

Please note that deadlines apply to **receipt by the Commission**.

No responsibility is taken for the late delivery of proposals.

II.2.8. Check list for projects

Experience shows that a number of general checks are useful before submitting a proposal:

| <i>Action</i> | <i>Completed</i> |
|--|------------------|
| Is the Proposal signed by the Co-ordinator (Forms A1, A2, C and D)? – Original signatures are needed on one copy | |
| Is the Proposal signed by each Participating Organisation (Form A2)? – Original signatures are needed on one copy | |
| Are all parts of the Proposal complete? – Part A – Forms A1, A2 and A3 – Part B – Narrative description + Forms | |
| Declarations as of section II.2.2 (for each partner) | |
| The profit an loss account (for each partner) | |
| The balance sheet for the last financial year for which accounts have been closed (for each partner) | |
| Have you prepared 6 copies of Part A and B for submission? (1 original plus 5 copies) | |
| Have you double wrapped the proposal package as described and marked the outer and inner envelopes correctly? | |
| Make sure that your proposal arrives at the Commission by the date and time and at the address given in the official Call notice | |

II.3. Evaluation of proposals and applications

II.3.1. General principles

The evaluation of project proposals will be based on the fundamental principles of transparency and equality of treatment. The evaluation process and the description of the criteria by which submissions will be assessed are presented below. A manual is also published on the eContent web site detailing the whole process of evaluation.

Panels of independent external experts will be established to assess the technical quality of the proposals received covering a wide range of relevant skills, without any geographic or linguistic bias. All proposals and applications will be treated in strict confidence.

II.3.2. Eligibility checks

On receipt, all proposals and applications will be subject to an eligibility check, to ensure that they conform to the requirements of the Call, and to the submission procedure. Only proposals and applications meeting the requirements shall be subject to the evaluation process.

The following checks will be carried out:

- I. Timely delivery. Project proposals called by a **fixed deadline** but not meeting the deadline specified in the call shall not be considered⁵.
- II. Proposal completeness. Parts A, B and C of the proposal must be present in all component parts.
- III. Signatures. Proposals must carry signatures by all consortium partners.
- IV. Certification material (for each partner participating in the proposal):
 - a. Declaration of fulfilment of the eligibility criteria;
 - b. The profit and loss account;
 - c. The balance sheet for the last financial year for which accounts have been closed;

II.3.3. Selection criteria

Proposers must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out. They must demonstrate the professional competencies and qualifications required to complete the proposed project.

Selection criteria are hence divided into two parts:

Financial and operational capacity to carry out the project

- Capacity to cofinance the proposed project as demonstrated by the company accounts;
- Capacity to allocate adequate human resources to carry out the project in question;

⁵ Proposals and applications submitted under the **continuous submission scheme** shall be evaluated at intervals not exceeding four months and may be submitted at any time up to the date of closure of the scheme.

Professional competencies and qualifications

- Documented relevant experience in the field of the proposed action (e.g. academic qualifications or previous projects).

II.3.4. Award criteria

Award criteria are grouped in four categories:

Quality, relevance, innovation and impact

- The quality of the proposed action and its relevance vis-à-vis the programme.
- The contribution of the action to achieving the objectives of the programme and the relevant action line(s) as set out in the call.
- The originality, degree of innovation and progress beyond the state of the art, taking into account the level of risk associated with the action.
- The expected impact of the proposed action and its viability beyond the phases of work sponsored by the European Union.

European added value and contribution to relevant policies

- The European dimension of the issue(s) addressed, and the extent to which the proposed action would contribute to tackling them at European level.
- The European added value of the consortium behind the proposal, including the need to reach an adequate critical mass in human and financial terms, and the combination of complementary expertise and resources available in different organisations.
- The contribution of the action to the implementation of relevant EU policies or to addressing problems connected with standardisation and regulatory matters, and the appropriateness of the action from an ethical point of view.

Contribution to economic development and social objectives

- The strategic impact of the proposed action and its potential to improve competitiveness and promote the development of digital content markets, including export potential.
- The potential contribution of the action to socio-economic growth, employment prospects and skills development.
- The contribution of the proposed action to improving the quality of life of European citizens and their access to high-quality information.

Partnership, resources and management

- The quality of the partnership and the involvement of other actors in the field where appropriate, including relevant experience of proposers.
- The business plan or the content reuse presented, sales strategies, the market size and possible commercial prospects where applicable.
- The adequacy of the chosen approach, methodology and work plan for achieving the objectives stated in the submission.

- The quality of the proposed management and working arrangements, in particular, the appropriateness, clarity, consistency, efficiency and completeness of the proposed approach and tasks, the scheduling arrangements and the associated co-ordination and reporting structures.
- The adequacy of the measures foreseen for monitoring progress and assessing intermediate and final results, including monitorable indicators of performance and impact.

II.3.5. Weighting of award criteria for project proposals applications

The respective weighting of the four categories of award criteria is published in the text of the Call for proposals.

II.3.6. Identification of project proposals to be retained

Independent experts will perform the technical evaluation in accordance with the selection and award criteria above. They will examine submissions individually, then meet as a panel to agree on the relative value and recommended ranking of submissions liable to be retained for Community funding. Should several expert panels be involved, a cross-panel review and ranking will follow.

Following the technical evaluation, and in accordance with the interests of the Community, the Commission will establish a list of proposals or applications in order of priority based upon an overall, strategic assessment. This list will take into account the budget available plus, where appropriate, a percentage of the call budget to allow for withdrawal of proposals/applications and/or savings to be made during contract negotiation.

II.4. Selection of proposals and applications

Co-ordinators of project proposals submitted under a fixed deadline Call will be notified in writing and receive a brief report on the outcome of the evaluation within six weeks of the closing date of the Call. Co-ordinators of proposals tentatively retained for negotiation will be notified within two months after the closing date of the Call, and be invited to undertake discussions with the Commission.

For project proposals submitted under the continuous scheme, co-ordinators may expect to be notified of the outcome of the technical evaluation within three weeks of the evaluation, which will take place no later than four months after the submission. The notification specifying whether or not the proposal has been retained for negotiation may be expected within two months of the evaluation.

This notification, however, does not commit the Commission to fund the action concerned, since this depends on the successful completion of the negotiations and the associated approval procedure within the Commission. Applicants should also note that the Commission may offer successful applicants a contribution lower than the amount requested, or may attach specific conditions to the award.

II.4.1. Financial viability of proposal participants

Further administrative and financial information might be required to assess the viability of the proposed project as the participants will have to demonstrate that they have all the human, financial and technical resources required for carrying out the project.

As a general rule, public sector bodies are considered to be financially viable. In all other cases (including e.g. companies, associations and non-governmental non-profit bodies), a participant

should demonstrate the capacity of cofinancing their share of the project.

The Commission will assess the financial viability of the participants and may seek to safeguard its interest by asking for a bank guarantee or other suitable measures.

II.4.2. Collective responsibility of the participants

The technical implementation of the project will be the collective responsibility of the participants. Each participant will also be liable for the use of the Community financial contribution in proportion to his share of the project up to a maximum of the total payments it has received.

Should a participant breach the contract and should the consortium not make good this breach, the Commission may, as a last resort and if all other approaches have been explored, hold the participants liable under the following conditions:

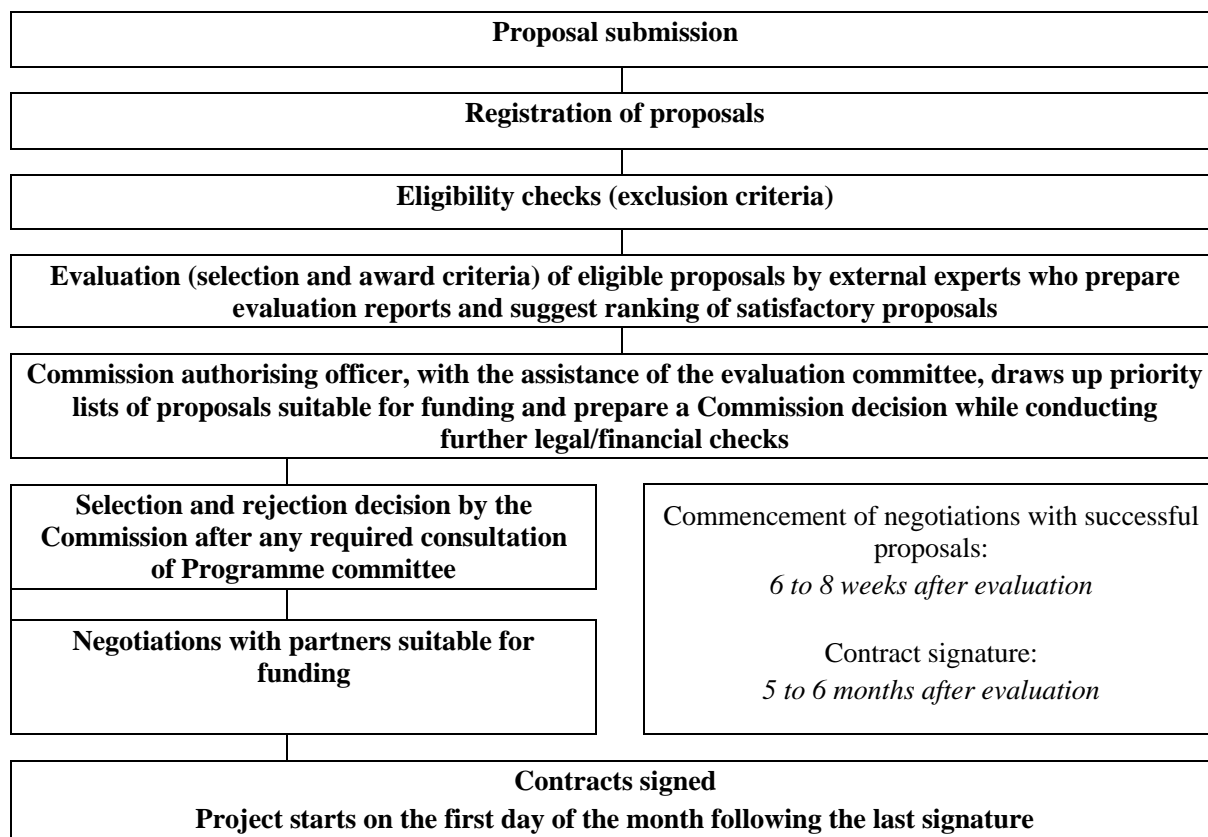
- a. Independently of any action it may take against the defaulting participant, the Commission will require the remaining participants to implement the project.
- b. Should the implementation be impossible or should the remaining participants refuse to comply with subparagraph (a), the Commission may terminate the contract and recover the Community financial contribution. When investigating the financial disadvantage, the Commission will take into account the work already undertaken and results obtained, thereby establishing the debt.
- c. For that part of the debt established according to subparagraph (b) that is owed by the defaulting participant, the Commission will distribute it among the remaining participants on the basis of each participant's share of the expenses accepted and up to the amount of the Community financial contribution each participant is entitled to receive.

Where a participant is an international organisation, a public body or a legal entity whose participation in the project is guaranteed by a participating country, this participant is solely responsible for its own debt and will not be expected to bear the debt of any other participant.

II.4.3. Negotiation of proposals

The proposers of project proposals tentatively retained for funding will be invited to undertake a negotiation with the Commission services, which may propose modifications to the original proposal based on the result of the evaluation. On successful conclusion of these negotiations, the Commission will – after consulting the Programme committee – offer contracts for the commencement of work.

II.4.4. Selection process overview



II.5. The contract

Contracts are proposed by the Commission to consortia successful in the evaluation and selection procedure.

II.5.1. Contract

The model contract used for demonstration projects, feasibility projects and accompanying measures can be downloaded from the *eContent* website.

II.5.2. The subject of the contract

The main obligation of the participants is to carry out their action in a pre-arranged period in accordance with the conditions set out in the contract, and to make use of and/or disseminate its results.

II.5.3. Rights and obligations of participants

These may vary according to the nature of the action or the category of participant:

For demonstration projects, definition-phase projects and accompanying measures, a participant who has a wide-ranging role in the project throughout its lifetime is normally a **contractor**. A participant whose role is largely in support of one or several contractors in an accompanying measure and has concluded a membership agreement with a contractor is termed a **member**. The member category is consequently intended for participation in user groups, networks and the like in accompanying measures.

Contractors are distinguished from members in two main ways:

- all the contractors are collectively responsible to the Commission for the execution of the project and shall use reasonable endeavours to obtain the expected results;
- contractors have *per se* rights of access to the results of the project and any pre-existing know-how. Unless otherwise stipulated in the membership agreement, members have the same rights and obligations as the contractor.

Participants in an action may conclude between themselves any agreements necessary to the completion of the work, provided these do not infringe on their obligations as stated in the contract they sign with the Commission.

II.5.4. Consortium agreement

The conclusion of a consortium agreement will be mandatory for all projects. The need for a consortium agreement arises from the need to ensure exploitation of the results of the projects by participants after the end of the phase financed by the Commission; for example with respect to the management of intellectual property and commercial exploitation. A consortium agreement may include:

- the internal organisation of the consortium, its governance structure, decision-making processes and management arrangements;
- arrangements for the distribution of the Community contribution among participants and among activities;
- provisions for the settlement of disputes within the partnership;
- specific arrangements concerning intellectual property rights to be applied among the participants and their affiliates, in compliance with the general arrangements stipulated in the contract;
- any other provision necessary to ensure a sound management of the project;
- an agreement describing how the results of the projects will be exploited.

The consortium agreement should be signed as early as possible and preferably no later than the date on which the contract with the Commission enters into force.

II.5.5. The co-ordination of the project

Within a consortium, participants shall designate one of the contractors to carry out the co-ordination function. This role may in exceptional cases be carried by two contractors, with one responsible for the technical co-ordination, and the other responsible for financial matters (e.g. if the technical co-ordinator is unable to receive Community funding due to his status or location, his uncertain financial standing, or because he is unable to distribute funds to participants in due time).

The co-ordinator is the liaison between the participants and the Commission, responsible e.g. for collecting, integrating and submitting project deliverables, and for distributing the funds received from the Commission. The costs incurred by the co-ordinator in the fulfilment of his responsibilities can be claimed as direct or indirect costs.

It should be noted that the successful management of the project is a joint commitment of all the

participants. They may, however, agree amongst themselves to confer upon the co-ordinator additional responsibilities, provided this does not infringe on their obligations as stated in the contract they sign with the Commission.

Sufficient resources must be allocated to the co-ordination and management of the project.

II.5.6. Subcontractors

Sub-contractors are not participants in an action. Their function is only as service providers to a contractor, a member or a beneficiary, who fully funds their activity. The costs are then reimbursable by the Commission according to the rules of the contract or agreement in force.

Sub-contractors make no financial investment in the project or event, and they therefore do not benefit from any intellectual property rights arising from its achievements, unless otherwise agreed in the contract between the sub-contractor and the contractor.

Subcontracts are awarded subject to a tender procedure (normally involving at least three offers) by the proposing organisations. The subcontract will be awarded to the tender offering best value for money, i.e. the one offering the best price-quality ratio, in compliance with the principles of transparency and equal treatment for potential contractors, care being taken to avoid any conflict of interests. Subcontracts will have to be in accordance with market prices,

II.6. Proposal follow-up

In order for the Commission to monitor the execution of the project, participants are required to submit, via the co-ordinator, intermediate and final reports as well as reports of costs incurred.

These reports will be analysed by Commission services in the light of the criteria which led to the selection of the project proposal. This will ensure the project conforms to the conditions associated with the Community financial contribution, and that the progress foreseen actually takes place. The reports are also used to assess whether and in what manner the project should continue to be supported.

II.7. Financial contribution of the Community

The Commission undertakes to provide a financial contribution to the project work for which a grant has been awarded. The Commission reimburses actual eligible costs incurred by participants as the project progresses. Payment is made in regular instalments, the first payment in the form of an advance.

II.7.1. Incurred eligible project costs

Project participants are required to identify and declare their eligible costs by the submission of intermediate and final cost statements based on the **actual costs** incurred in the execution of the action. Supporting documents, which justify these costs, must be retained for at least five years from the end of each payment to permit auditing by Commission services or other institutions, e.g. the European Court of Auditors.

A cost shall be considered as eligible only where it is necessary for and has occurred during the project and is provided for in the contract/agreement. It shall be reimbursed if the amount has actually been spent and recorded in the accounts. No profit may be included.

The different categories of **PROJECT RELATED COSTS** that are eligible for Commission funding are the following:

Direct Costs

Personnel costs: subject to the contract terms, technical personnel; time devoted to the project shall be recorded.

Durable equipment: subject to the contract terms, equipment shall be reimbursed according to a depreciation period (for computer equipment that cost less than €25,000 the depreciation period is 36 months, for all other equipment the depreciation period is 60 months) and its use on the project; equipment leased shall be reimbursed without exceeding the eligible cost if it were to be purchased.

Subcontracting: external services.

Travel and subsistence: travel outside the European Union needs the prior approval of the Commission, except for visiting a participant.

Consumables: only project specific items.

Computing: only project specific items.

Protection of knowledge: subject to contract terms, only with prior approval of the Commission.

Other specific costs: any cost necessary for the project, not falling within a defined category and having received the prior approval of the Commission.

Co-ordination costs: costs for the financial/administrative administration (personnel, travel and all other cost categories apart from subcontracting) incurred by the co-ordinator – the financial/administrative co-ordinator in case of split between technical and administrative co-ordinator – in order to fulfil his tasks.

Indirect Costs

Overheads: subject to the contract terms, either an actual rate (FC), or on the direct additional costs (AC), excluding subcontracting.

II.7.2. Calculation methods applicable to project participants

Different methods are used to calculate the Commission funding, depending on the type of project involved and on the participant's capacity to identify his incurred costs.

Two calculation methods are used, namely full cost actual overhead (FC) and additional cost (AC):

Full Cost (FC): The Commission reimburses up to 50% of the total eligible costs. All costs including overheads are based on actual costs and therefore the participant must be able to identify all the direct and indirect costs related to the project. Overheads must be calculated in accordance with normal accounting conventions and principles applicable to the contractor and acceptable to the Commission. The participant should be able to demonstrate that his accounting system enables the identification of those costs with sufficient precision. FC = total direct costs + actual overhead rate.

Additional cost (AC): The Commission reimburses 100% of the eligible costs incurred that are "additional" to the normal running (recurrent) costs of the participant. This cost model is only applicable in cases where the participant cannot identify precisely the full costs related to the project and presupposes comparable efforts delivered by non-eligible permanent staff. The final decision whether to accept the use of the AC model rests with the Commission. Only public

sector bodies e.g. universities, higher education and public research establishments, can apply for the AC model. AC = total direct additional costs + up to 20% overhead on direct costs (excluding subcontracting).

The choice of funding model is at the risk and responsibility of the participant whose choice commits its organisation to use the selected cost reimbursement model for the duration of the eContent Programme and other programmes, subject to certain possible changes.

Generally, the use of permanent staff is allowed for all types of organisations if accurate time records are kept, however, for participants using the AC model, these personnel costs are **not** eligible. In cost-shared project, AC partners are expected to match the Community contribution by contributing adequate human, technical etc. resources.

II.7.3. Payment of the contribution

For projects, an initial advance or pre-financing, normally amounting to 30% of the total Community contribution, will be paid by the Commission within 45 days after the signature of the contract to speed up and facilitate the work. The advance may be reduced or partly retained to protect the Community's financial interests.

In certain circumstances the Commission may request financial or other guarantees to ensure the security of any advance payment made. This is particularly necessary for those shared-cost actions where the participants themselves are expected to bear part of the cost.

The Community contribution is paid in euro, in a number of (normally semestrial) instalments based on cost claims submitted by participants with their interim and final reports.

II.8. Assistance available to proposers and applicants

II.8.1. Information days

The Commission may organise info-sessions to disseminate information about the Programme or a particular Call, and to provide an opportunity for prospective proposers to meet Commission officials and potential partners.

These events are posted on the eContent website.

II.8.2. eContent Information Desk

The Commission maintains an eContent Information Desk. Any questions concerning the Call not covered in this document nor in the material available at the Programme website may be directed to the Information Desk at the following address:

European Commission
Directorate General Information Society
eContent Information Desk
Office EUFO 1181
L-2920 Luxembourg
Fax: +352-4301-34959
E-mail: econtent@cec.eu.int
URL: <http://www.cordis.lu/eContent>

The Information Desk will post any last-minute information concerning the Call on the Programme website, which potential proposers and applicants should check periodically for this reason.

II.8.3. The Intellectual Property Rights Helpdesk

The IPR Helpdesk has been set up to support participants seeking information on Intellectual Property Rights (IPR) and related contractual issues. The activity will also aid participants in locating the assistance necessary to register, protect, and exploit their inventions. The IPR Helpdesk offers information on these issues and guides users to the services available from national patent offices, patent agents and lawyers in their country.

Intellectual Property Rights Helpdesk

Edificio Germàn Bernácer

Universidad de Alicante

03080 Alicante

España

Telephone: +34 965 90 97 18

Fax: +34 965 90 97 15

URL: <http://www.ipr-helpdesk.org/index.htm>

II.9. *Some recommendations*

- ✓ **Eligible partners:** Check first that you and your partners are eligible for participation (for example: your organisation must have a registered legal existence, there are minimum consortium requirements, audit certificates, etc.).
- ✓ **Specific actions and objectives:** Check that your proposed work does indeed address an activity included in the **current Call**. Ineligible proposals, or proposals not addressing activities open in the Call, will be excluded from evaluation.
- ✓ **Management:** Clearly indicate ability for high-quality management adapted to the scope of the intended project.
- ✓ **Content:** Good proposals show consistency with the selection and award criteria.
- ✓ **Ethical issues:** Clearly describe any potential ethical aspects and applicable regulatory aspects of the work to be carried out and the way they are dealt with according to relevant national and European regulations.
- ✓ **Presentation:** Good proposals are drafted in a clear and easily understandable way. Good proposals are precise and concise, not “wordy” – evaluators judge on content, not on number of pages.
- ✓ **Results:** Good proposals clearly show the results that will be achieved, and how the participants intend to disseminate and/or exploit these results.
- ✓ **Completeness:** Proposals must be complete, as they are evaluated only on the basis of the written material submitted. **Follow the format of the Proposal Submission Forms and the other parts of the Appendix.**
- ✓ **Partnership:** Partners should discuss and agree beforehand their respective roles and responsibilities. The consortium should aim at a reasonable distribution of resources and tasks between partners and countries.
- ✓ **Contract:** Check that the model contract conditions are acceptable for your organisations.
- ✓ **Competition:** There will be competition, and a weak element in an otherwise good proposal might make it lose out to others. Therefore edit your proposal tightly, strengthen or eliminate weak elements.

Last but not least:

Arrange for your draft proposal to be evaluated by your colleagues before sending it, using the evaluation criteria described in this Guide. Use their advice to improve it before submission.