

Framework Regulation for making operational the administrative and coordination structures of RIS project

DISCOVER NE ROMANIA

The parties that developed the project proposal “**Development of an Innovative Strategy Continuously Oriented to Valorization of the Economic Resources in North-East Romania**” were:

- The North-East Regional Development Agency Romania, *Project Coordinator*
- Metron Srl, Italy, *main partner*
- Regional Development Agency - Comitet d'Expansion Economique (CEBANOR) Bass Normandie, France, *secondary partner*

The project has a **total budget of 465.000Euro** (of which the grant is amounted to 335.000 Euro) and is funded under 6th Framework Programme, Specific Support Actions in accession countries (SSA) Component.

After the contract no. **014623/15.09.2005** was signed, the project partners agreed and signed on **October 6, 2005** a Framework Agreement that stipulates the organizational structure between contractors and how the project management is to be organized in order to define their rights and obligations.

The purpose of this document is to agree upon a set of common rules that will serve for promoting a productive and effective cooperation between partners and will provide the necessary support for achieving project objectives.

1. Project coordinator is the only intermediate interface between project partners and European Commission and has to fulfill all the tasks allocated according to the financing contract, partnership agreement and present document. The project coordinator is responsible for the general project management.

Particularly, the Project Coordinator is to be held responsible for:

1.1) Responsibilities assumed to the European Commission :

- (a) Receiving the financial contribution from European Commission. The Project Coordinator should administrate this financial contribution by making further allocations and corresponding transfers to project partners, according to the working program established and decisions taken by project manager and related bodies;
- (b) Supervising the scientific, technical, financial and administrative progress of the project and providing the adequate information to the Commission according to the contract;
- (c) Coordinating the reporting activity to European Commission based on the information collected from project partners;
- (d) Submitting the documentation to the Commission, including the reports, results of the project and any other information requested whatsoever;
- (e) Signing the financing contract with European Commission after receiving the authorization from project partners.

1.2) Responsibilities assumed to project partners :

- (a) Keeping the documents and information related to project implementation and their submission to Monitoring Committee, Management Unit and respective project partners, for analysis purposes, upon specific request;
- (b) Acting as intermediate between project partners;
- (c) The project coordinator is not entitled to act and/or to make statements that imply legal responsibilities on behalf of any other project partner, excepting the ones bearing its capacity of representing the project partners under the terms and conditions described by the financing contract;

- (d) Transferring the amounts allotted among project partners as per agreed budget allocations, according to the decisions taken by the Management Unit and keeping records corresponding to the identification of the payments performed to the partners bank accounts;
- (e) Monitoring the expenditure made under the project as well as the cost statements prepared and certified by the partners; approving the budget modifications of the partners;
- (f) The Project Coordinator assigns a Project Manager that will be member of the Management Unit and will chair the meetings of this body as well. The Project Manager will be held responsible for the operational management of the project, under the control and in accordance with the decisions taken by Monitoring Committee and Management Unit.

The Project Manager is specifically in charge of:

- a. Implementing the strategic decisions taken by Monitoring Committee;
- b. Implementing and updating the working program;
- c. Monitoring and evaluating the results of the project and the activity carried out by *Management Unit*;
- d. Supervising the progress recorded by comparison with timetables specified in the project or agreed with the partners in the framework of the Panel of Reference;
- e. Project administration ;
- f. Organizing the activities and meetings of the Monitoring Committee and Management Unit ;
- g. Deciding the necessary measures to be taken for ensuring an effective coordination of the project in the context of the control and audit procedures;
- h. Preparing the meeting with *European Commission* as well as the needed information requested by EC;
- i. Endorsing the press releases performed under the project;
- j. Proposing to the Reference Panel reviewing or amendment of the contract in the view of ceasing the participation of a partner in the project;
- k. Reviewing or deciding upon the reallocation of the tasks of a certain partner if the respective partner does not fulfill its tasks in the most appropriate way and proposes a dmission of another partner/entity in the project for taking over its role;
- l. Recommending to the Reference Panel the total or partial termination of the contract or recommending to European Commission the ceasing of participation of one of the partners in the project.

2. Management Unit

The Management Unit is composed of experts belonging to Project Coordinator that carry out activities in the project and have the following responsibilities:

- a) Provide support in setting up an effective project management structure, define the objectives, methodologies and related actions for achieving regional consensus,
- b) Prepare analysis and provide support in defining the objectives and structure of Regional Innovation Strategy;
- c) Develop ideas and proposals for Regional Innovation Strategy and Action Plan;
- d) Participate to conferences and activities related to the transfer of expertise and experience;
- e) Develop a system for monitoring and evaluation of the activities carried out under the project.

3. Partners

According to the Framework Agreement signed, the project partners have the following responsibilities:

- a. They have to keep record of all documents and information related to project implementation and submit them to Project Coordinator for preparing the periodically requested technical and financial reports.
- b. To ensure the implementation of the working program agreed by project's coordination structures;
- c. To observe the responsibilities stipulated by the Partnership Agreement, **Annex II Main tasks of METRON SRL** and **Annex III Main tasks of CEBANOR**;

- d. To submit the back up documents that prove the eligibility of expenditure resulted from project implementation as well as the payment requests in compliance with the reporting periods provisioned by the contract.

4. Reference Panel

The Reference Panel consists of 12 local experts. The President of the Reference Panel is the Project Coordinator.

The Reference Panel has the following responsibilities:

- a) Makes proposals and suggestions with concern to the objectives of the project and publicity activities;
- b) Endorses the working program and any major modifications intended to be brought to this program;
- c) Endorses the management rules concerning the funds received from European Commission, including the transfer of amounts to be paid to partners;
- d) Proposes reviewing and/or amending the terms of the contract and partnership agreement;
- e) Endorses the commitments proposed by Project Manager;
- f) Proposes partial or integral suspension of the project or partial or integral termination of the contract;
- g) Agreeing upon the actions that are to be taken against a partner if it didn't succeeded in fulfilling its tasks in good conditions ;
- h) Endorses the working procedures according to the contract, Annex II General Conditions – Part C Management of information, public relations and promotion;
- i) Endorses any proposal of enlarging the *consortium* and admittance of any other partners in the *Contract*, including the related selection procedure;
- j) Cooperates with foreign bodies, organizes conferences, workshops and communicates with research & development institutions, municipalities, etc;
- k) Initiates concrete forms of interregional cooperation in the field of innovation.

The Reference Panel will meet at least once for each work package of the project or any time is needed upon specific request of project coordinator or of both partners.

5. Monitoring Committee

- a. The Monitoring Committee of the project will include minimum 12 members, representatives of the most important regional institutions involved in the project (*those that will implement the regional innovation strategy*), other institutions active in the field of innovation from the regions were project partners are located (METRON SRL, CEBANOR, International Process Consultant).
- b. The Project Coordinator proposes the list of selected nominated members; the President of Monitoring Committee is the Project Coordinator.
- c. The Committee will meet at least 4 times during project implementation period (according to the project working program) or anytime is considered as being necessary by the coordinator or partners.
- d. The main documents that are to be elaborated during project implementation are to be submitted for approval by Monitoring Committee.
- e. The Monitoring Committee is entitled to approve:
 - i. Political decisions and strategic orientation of the project, main activities and approaching methodology to be used for achieving project's objectives ;
 - ii. Facilitation of reaching regional consensus at the level of key institutions;
 - iii. The support to be provided for the successful implementation of Regional Innovation Strategy in North-East Region;
 - iv. Monitoring the achieving of project's objectives.

6. International Process Consultant (IPC)

The International Process Consultant will provide consultancy and assistance to Management Unit in terms of methodology and concept for the implementation of the project. This will include

support for developing the management structures, methodology for analyzing the offer and demand, communication strategy, sketching the Regional Innovation Strategy and Action Plan as well as active participation in conferences, workshops and other events relevant to the project.

7. Common rules for all structures

7.(1) Communication

The experts of the management structures will be involved in elaborating the documents, reports and other materials and are to be consulted in relation with other sources of information anytime the case might be for the good progress of the project.

The communication within the project could be via electronic mail (e-mail), by phone or through Project Coordinator.

7.(2) Preparation and organization of meetings

The Monitoring Committee or Reference Panel meetings will be agreed by the President with at least 14 days in advance based on written announcement and agenda. The meeting agenda must provide sufficient data with concern to the proposed decisions.

If one member suggests inclusion of an additional topic on the meeting agenda, he/she must communicate the intention in writing to all the rest of the Committee's members with at least 10 calendar days in advance, before.

The minutes of the meetings are to be drawn up by the coordinator and transmitted to all committee members within 14 days. The minutes are to be considered accepted by all committee members if, within 14 days from receiving date, none of the members issued any objection in writing to the Coordinator.

The President may decide, by written announcement and agenda, with at least 3 days in advance, that the meeting will take place by using specific conference technologies (e.g. video conference, phone conference or other similar communication systems).

7.(3) Decision-making process

All the decisions of the management structures are to be taken by consensus. If the consensus is not reached or one of the members proposes this alternative, the simple voting procedure could be applied.

The quorum conditions are considered as being reached if more than 50% of the members are present or are correctly represented by substitutes. The decision will not be validated unless more than 50% of the members are present and agree upon. There is no veto right; every single member has the right to one vote only. If there is the case of an equally shared vote, then the vote of the President will be decisive.

This Regulation comes into force at the date when the first meeting of management structure will take place and is to be valid up to Contract termination, when the partners will be completely discharged of the assigned tasks as well as during the full duration of any amendment to or extension of this contract.

The partners may request ceasing of participation to the *Contract* and Partnership Agreement based on a notification made in writing to the Coordinator with 3 months before the withdrawal date, based on a Special Delivery Letter, with confirmation of receiving, that motivates the reasons of withdrawal.

The Reference Panel may object to this potential withdrawal intention that could be expressed by unanimity voting minus the vote of withdrawing partner, indicating the reason (s) of objection within 45 days from the date the notification was received.

The withdrawal of the partner will come into force only after the integral justification (proving) of the financial allocation received until withdrawing date otherwise the unjustified amounts will be fully returned to project coordinator.

If the Reference Panel does not agree with the withdrawing intention, then the coordinator must submit to European Commission a request for assistance, according to the relevant article from financing contract.

7.(4) Inclusion of a new partner

The financing contract stipulates that the alteration of the composition of project implementation consortium implies application of a competition-based selection procedure. In specific cases, well justified by project coordinator, a new partner could be included in the project without observing the selection procedure.

The competition-based selection procedure is to be proposed to the Reference Panel by Project Coordinator. After the approval of the respective procedure, the Project Coordinator will be held responsible for the application of the procedure in compliance with the provisions of the financing contract.

The evaluation of the tenders is to be carried out by Project Coordinator.

The inclusion of a new partner in the project is to be approved firstly by project coordinator. The partner commits itself to participate (with human resources, financial and/or material resources) to the implementation of the working program and commits to pay the financial contribution, as the case might be.

The new inclusion in the consortium comes into force at the date when the parties involved sign all the documents related to the financing contract and partnership agreement.