

**Interreg**



Co-funded by  
the European Union

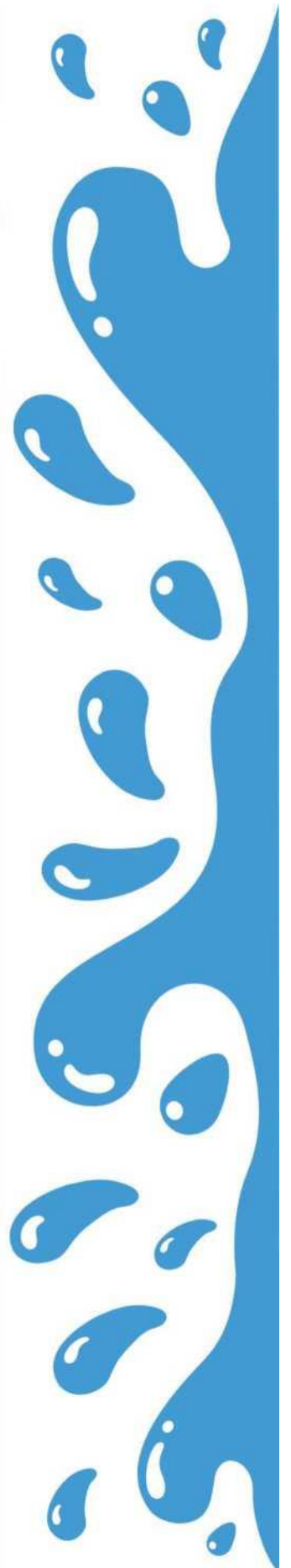
**NEXT** Black Sea Basin

## TERMS OF REFERENCE



# State Aid Experts First Calls for proposals

[www.blacksea-cbc.net](http://www.blacksea-cbc.net)



## 1. BACKGROUND

The Interreg NEXT Black Sea Basin Programme is an EU cooperation programme with neighbouring regions along the EU external borders.

The Programme eligible area involves seven countries, some of them including their whole national territory (Georgia and Republic of Moldova), while the others include those regions closest to the Basin (Bulgaria, Greece, Romania, Türkiye and Ukraine).

The Programme aims to strengthen existing links between participating countries and build new ones in the fields of research and innovation and environmental protection. Its goal is to establish long-lasting transnational links within the Black Sea Basin by financing projects which should deliver clear transnational cooperation impact and benefits, and which demonstrate sustainability of their actions, and synergies and complementarities with other actions in the same field.

Detailed information about the Programme priorities and objectives is available at the following link: <https://blacksea-cbc.net/interreg-next-bsb-2021-2027/priorities-and-objectives>.

## 2. PURPOSE

The scope for selection of state aid experts is to support the Assessment Working Group (AWG) in the qualitative evaluation (strategic and operational) of applications submitted within the first call for proposals under the Interreg NEXT Black Sea Basin Programme.

The first call for proposals within the Interreg NEXT Black Sea Basin Programme (for regular projects and for small scale projects) was launched on 30 March 2023, with deadline for submission of proposals on 4 July 2023.

The submitted applications will be examined and evaluated by the Managing Authority (MA), National Authorities and Joint Secretariat (JS) with the support of external assessors, as follows:

1. **administrative and eligibility compliance check** - to be carried out by assessors nominated from the Managing Authority's own staff, Joint Secretariat staff and National Authorities representatives;
2. **quality assessment (strategic and operational)** - to be carried out by the Managing Authority and Joint Secretariat staff with the support of external assessors, in accordance with the evaluation criteria set out in Annex 7 - Quality Assessment Grid to the Application Packs for small scale and regular projects and with the Guidelines for Assessment and Selection of Applications.

During the quality assessment stage, the **State aid compliance check** will also be carried out by state aid experts in accordance with the Annex 8 -State Aid Assessment Grid of the Guidelines for Grant Applicants for small scale and regular projects and with the Guidelines for Assessment and Selection of Applications.

It is envisaged the **selection of 2 state aid experts**. A reserve list shall be established and the number of experts may be increased in accordance with the number of applications to be assessed.

In this respect, the Joint Secretariat (JS) within South East Regional Development Agency (SERDA) invites the interested candidates to submit their applications in compliance with the requirements mentioned below.

### 3. TASK

The main task of each expert is to undertake the assessment of the State aid compliance of applications submitted under the first call for proposals (for regular projects and for small scale projects) within the Interreg NEXT Black Sea Basin Programme, paying particular attention to the following:

- Analysis of the activities in order to determine if the criteria defining State aid are met;
- Assessment on the occurrence of indirect State aid to third parties outside the project, benefitting of project activities as target groups, including the identification of the concerned project activities, deliverables and outputs.

Assessment of applications shall be made exclusively online, by using the electronic monitoring system of the Programme (JeMS) on the basis of information included by applicants in the application forms, in English language and in the time frame allocated by the coordinator of the assessment process.

An online briefing meeting including a training session on how to perform the assessment in JeMS during the quality assessment process shall be provided to all assessors/state aid experts before starting the assessment process. Moreover, throughout the entire assessment, if needed, the JS will provide support regarding JeMS to all assessors/state aid experts.

The state aid compliance assessment of each application will be carried out by one expert, in English language, in accordance with the evaluation criteria set out in Annex 8 - State Aid Assessment Grid to the Application Packs (<https://blacksea-cbc.net/interreg-next-bsb-2021-2027/calls-for-proposals/first-call-for-proposals>) and with the Guidelines for Assessment and Selection of Applications for the 1st Calls for Proposals, which provides detailed instructions on how to score and to assess using the JeMS.

Based on the JeMS access rights, each state aid expert will independently carry out the assigned duties, performing cross-checks of the information included in the application forms (correlation between different sections and its annexes, as applicable).

To document the work carried out for each assessed application, the state aid expert is expected to complete the sections of the **State Aid Assessment Grid**, providing comprehensive information to justify the presence or absence of State aid as well as providing recommendations on:

- a) how the activity can be adjusted so that potential state aid incidence is eliminated without affecting the nature of the application,  
or
- b) recommendation to reject the application in case any adjustment may alter or affect the nature of the application.

As their comments could be used to provide feedback to applicants, state aid experts **must draft their comments in English** and must pay particular attention to clarity, consistency and appropriate level of detailing.

In case of insufficient information for a correctly **State Aid Assessment**, clarifications can be asked, through the coordinator of the assessment process.

In case of any beneficiary complains regarding the **State Aid Assessment**, the analysis and resolution of those appeals will be concluded according to the provisions of the Application Packs and Guidelines for Assessment and Selection of Applications.

As part of the assignment, and if needed, the state aid expert has to ensure her/his availability to discuss their assessment with the MA/JS.

#### 4. GENERAL REQUIREMENTS

In carrying out the state aid compliance assessment, the state aid experts must:

- Have good knowledge of the Interreg NEXT Black Sea Basin Programme (<https://blacksea-cbc.net/interreg-next-bsb-2021-2027/programme-documents>), the Application Packs (<https://blacksea-cbc.net/interreg-next-bsb-2021-2027/calls-for-proposals/first-call-for-proposals>) and the Guidelines for Assessment and Selection of Applications (which shall be provided by the JS at the beginning of the assessment process);
- Follow the instructions provided in the Guidelines for assessment and selection of applications and of the coordinator of the assessment process;
- Use the JeMS and assess the applications according to the State Aid Assessment Grid, as annexed to the Application Packs;
- Know the content and structure of the application form;
- Comply with the rules defined by the Programme for ensuring the impartiality, confidentiality and avoidance of conflict of interest of the evaluation process. State aid experts must be aware that failure to comply with these rules shall result in exclusion from the assessment process;
- Immediately inform the coordinator of the assessment process if during the evaluation, she/he discovers being directly or indirectly connected with an application, which she/he has been asked to evaluate and which impairs her/his impartiality;
- Follow the deadlines for finalizing the evaluation of the assigned applications;
- Be available (by video conferencing platforms, email or phone) for the Assessment Working Group, Monitoring Committee meetings if further explanations on their work are required.

State aid experts must ensure reliability and commitment to deliver high quality outputs in due time.

Each candidate shall submit, together with his/her CV and supporting documents, a **Declaration of Availability (Annex 1 to this ToR)** stating that the tasks to be performed have been understood by the candidate and that he/she is available for the job and committed to deliver the tasks in time.

Candidates should also be aware of the provisions of the **Declaration of Impartiality, Confidentiality and Avoidance of Conflict of Interest**, which will have to be signed before starting the evaluation. (Annex 2 to this ToR).

#### 5. EXPERTS' PROFILE

Experts shall have relevant competences and professional experience in State aid. They should meet the following requirements:

- a university level degree certified by a diploma or other document with the same legal value issued by the authorities of the State of domicile or residence;
- have experience in assessment processes with focus on state aid at project level. The proof of experience will be based on relevant documents regarding previous concluded service

contracts, recommendations or any other similar documents issued by final beneficiaries of contracts or employer, which confirms the required experience asked by SERDA-JS;

- Very good command of English language (written, spoken);
- computer skills.

**Expertise in the state aid incidence assessment processes in transnational/interregional/cross-border cooperation programmes is considered an advantage.**

The above criteria are cumulative and shall be proved by professional experience and/or studies, as presented in the Europass format CV and documents. (Annex 4 to this ToR)

## 6. APPLICATION PROCEDURE

Interested applicants shall submit the following documents (PDF format), **by e-mail, starting with 17<sup>th</sup> of August 2023 until 8<sup>th</sup> of September 2023:**

- **Resume (CV)** (using the Europass format) - in English language (PDF format) - please provide in your CV information related to state aid incidence assessment processes in which you have been involved (e.g. name of programme, year of the call); if the case, the experts must also include in their CVs information related to the number of state aid incidence assessment processes in a transnational/interregional/cross-border cooperation programmes; the CV will also include contact information of at least 2 persons that might be contacted for information related to your past experience in state aid incidence assessment processes.
- **Declaration of Availability** - signed (PDF format) - See attached template (Annex 1 to this ToR);
- Valid identity document and marriage certificate, if applicable, if the name is changed;
- **Declaration of the applicant regarding personal data** - template in English language provided, signed (handwritten or electronically) - (Annex 3 to this ToR).
- **Professional Experience** - See attached template (Annex 4 to this ToR);

All documents listed above should be sent by email to the following e-mail address: **recruitment@adrse.ro.**

**Please be aware that in case of identifying false information in your CV at a possible verification of the information contained, you will be excluded from the selection/recruitment process.**

**THE DEADLINE FOR SUBMITTING APPLICATIONS IS 8<sup>th</sup> OF SEPTEMBER 2023.** This deadline may be extended in order to have a sufficient number of applications which could allow the selection/recruitment of high quality and experienced experts. In case the deadline will be extended, the information will be posted on the Programme website [www.blacksea-cbc.net](http://www.blacksea-cbc.net). Nevertheless, please consider **8<sup>th</sup> of SEPTEMBER 2023** as deadline for submitting the applications.

**Only applications received by the deadline set in this announcement will be further evaluated. Thus, you must ensure that the email with your application is received in due time.**

Each application submitted within the deadline will receive a registration number, and in order to comply with the legislation on personal data, it will be used throughout the selection/recruitment process of state aid experts.

## 7. SELECTION PROCESS

The selection of experts is carried out by a committee established by Decision of the Director of SERDA, based on the registration files submitted within the deadline specified in the announcement. Only applicants who meet the cumulative selection criteria described in this document will be selected.

The selection process shall consist of **Selection of CVs**.

The CVs and supporting documents submitted (**ANNEX 4** according to the list in the Application procedure) shall be examined in order to assess the compliance with the requirements.

Experts will be selected on the basis of the number of state aid incidence assessment processes in which they have been involved as state aid experts, under national, European or international funding programmes;

The number of processes will be scored by using the following method: for 1 process - 1 point; for 2 processes - 2 points; for 3 processes - 3 points etc.

In case of equal final scores, the number of state aid incidence assessment projects financed in transnational/interregional/cross-border cooperation programmes will be considered, by counting them and ranking the applicants in descending order.

The first **two experts** who will receive the highest number of points will be contacted by SERDA. In case one assessor is not available, the next one on the reserve list will be contacted.

All candidates will be informed on the results of the evaluation by e-mail, according to the indicative timetable. Following the announcement of the results, any rejected applicant may submit a written complaint by e-mail to the address [recruitment@adrse.ro](mailto:recruitment@adrse.ro), within 2 working days from the date of the email announcing the decision of SERDA.

The appeals submitted are analysed by the appeals committee, established by Decision of the Director of SERDA.

The assessment work of project applications shall start on October 2023 and shall end on December 2023. Please note that the above-mentioned timeline is indicative and the assessment may start later, once the recruitment and employment processes have been finalized.

## 8. CONFLICT OF INTEREST AND CONFIDENTIALITY

To ensure the independence of the state aid assessment performed, the experts will have to sign a **Declaration of Impartiality, Confidentiality and Avoidance of Conflict of Interest** and that she/he commits to inform the coordinator of the assessment process if any conflict should arise during the assessment phase. A conflict of interest exists if the impartial and objective function of an expert is jeopardized due to reasons involving family, economic interest or any other pecuniary interest shared with the applicants. Throughout the assessment process the expert must ensure the confidentiality of the information and documents as provided by the MA/JS. This shall be certified by the selected expert by signing a declaration - **see template attached (Annex 2 to this ToR)**.

## 9. TERMS OF EMPLOYMENT

### a. Type of contract

The experts shall perform their tasks in the framework of full-time labour contracts concluded with SERDA, as Joint Secretariat, under the Romanian law. The labour contracts will have **3 months duration, starting October 2023 (indicatively)**. If needed, according with the workload, the contract duration may be extended with a number of days/months necessary for finalizing the state aid compliance assessment.

These Terms of Reference shall be annexed to the labour contract.

#### **b. Location**

The work shall be performed remotely, online.

State aid expert must use functional laptops/desktops of their own. As the experts will work remotely, he/she will be responsible to ensure from own resources all conditions necessary to perform the evaluation process.

#### **c. Monthly salary and instalment payment**

The labour contract shall be concluded in Romanian Lei (RON) and the monthly amount of the contract shall be the equivalent of **2,100 Euro** (taxes included) (approximately 1,200 Euro net) at the exchange rate of the Commission applicable in the month the labour contract is concluded (the monthly exchange rates of the European Commission are published on:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/inforeuro/inforeuro\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm)).

The amount is fixed and is not subject to any negotiation with the Employer.

The monthly salary payment will be made in the employee's account in RON or in EURO.

If the payment is made in EURO, the currency conversion from RON to EURO will be made for each payment at the official exchange rate communicated by the Romanian National Bank from the date of payment.

The expert shall bear any fees charged by the Bank where the account has been opened for the receipt of the net amounts related to the services provided.

A fixed instalment payment of 3,100 Euro (taxes included) (approximately 1,800 Euro net amount) shall be paid once to non-residents in order to facilitate obtaining legal forms of employment (covering transport to Romania, accommodation, visa fee, apostille fee, translation costs and other necessary costs). The instalment shall be paid with the first salary payment, after obtaining the work permit and the individual identification code.

SERDA will support each expert in order to fulfil all employment formalities in line with the Romanian legal provisions. In case the physical presence of the experts in Romania is not necessary for the completion of the employment forms, the amount allocated for the instalment will not be granted.

Upon the request of the Joint Secretariat for the participation of the experts in the meetings held in Romania or another Programme country, the Joint Secretariat will cover their transport, accommodation allowance and daily allowance.

#### **d. Specific terms of employment**

d.1) The selected experts from EU countries shall undertake the following steps:

The own statement as concerns the residency in Romania shall be submitted to the General Inspectorate for Immigration in Constanta;

- A certificate for recognition of studies shall be issued by the National Ministry of Education of Romania. If the case may be, selected experts should prepare a set of documents to be submitted to the National Ministry of Education. SERDA shall assist them in submitting the documents and getting the certificate of recognition of studies. Please note that the



procedures of recognition and equivalence of bachelor diplomas does not apply to diplomas obtained in well-known, prestigious universities (please consult the list of well-known, prestigious universities, attached herewith);

- The individual labour contract shall be signed with the respective expert. The execution of tasks may start immediately after the signature of the labour contract;
- A registration certificate is needed for getting the individual identification code. The needed documents shall be submitted to the General Inspectorate for Immigration Constanta after signature of the labour contract in Romania.

**IMPORTANT!!**

In the absence of the individual identification code, no payments can be made by SERDA to the experts.

d.2) The selected experts from non-EU countries shall undertake the following steps:

- A letter for confirming the employment of the non-EU citizens according with the Order no 25/26.08.2014, art. 3 (2c) (with no mandatory condition of obtaining the employment notice) shall be issued by the General Inspectorate for Immigration Constanta;
- The long stay visa for employment purposes shall be obtained. In order to get the long stay visa for employment, selected experts shall submit to the Romanian Embassies/Consular Offices from their country of origin/residence an application file. It is mandatory to make proof of the renting contract in order to demonstrate the residency in Romania;
- A certificate for recognition of studies shall be issued by the National Ministry of Education of Romania. If the case may be, selected experts should prepare a set of documents to be submitted to the National Ministry of Education. SERDA shall assist them in submitting the documents and getting the certificate of recognition of studies. Please note that the procedures of recognition and equivalence of bachelor diplomas does not apply to diplomas obtained in well-known, prestigious universities (please consult the list of well-known, prestigious universities, attached herewith);
- The individual labour contract shall be signed with the respective expert. The execution of tasks may start immediately after the signature of the labour contract;
- The work permit shall be obtained by submitting the necessary documents to the General Inspectorate for Immigration Constanta. The issuance of the work permit is done in Romania, by Romanian authorities. Based on the work permit, the experts will obtain individual identification codes which will be used for labour contract taxation purposes.

**IMPORTANT!!**

In the absence of the individual identification code, no payments can be made by SERDA to the experts.

**IMPORTANT!!**

**The employment of Ukrainian citizens will be done in compliance with the Romanian legislation in force, meaning that Ukrainian citizens are automatically entitled to residence permits and in order to be employed, the only requirement will be to obtain the individual identification code.**

d.3) For Romanian citizens or for other citizens with legal working rights in Romania, the labour contract shall be signed after the submission of the following documents:

- Identity Card - in copy;
- Work certificate proving length of service starting 01.01.2011 until present (history



- employment certificate);
- Medical certificate issued by an occupational health medical practitioner stating that the respective person is clinically healthy and capable of work and has no record of chronic and neuropsychological diseases.
  - University diploma - in copy
  - Criminal record.

**10. INDICATIVE TIMETABLE FOR RECRUITMENT**

	<b>DATE</b>	<b>TIME</b>
<b>Deadline for submission of job applications (CVs and supporting documents) by email</b>	8 <sup>th</sup> of September 2023	23:59 hrs. (Romania time)
<b>Information by e-mail about the results of the selection of CVs</b>	15 <sup>th</sup> of September 2023	23:59 hrs. (Romania time)
<b>Submitting the complaints regarding the results of the selection of CVs</b>	within 2 working days from the date of the e-mail regarding the results	23:59 hrs. (Romania time)
<b>Analysis of complaints and communication of results</b>	2 working days from the date of receiving the complaints	23:59 hrs. (Romania time)
<b>Signing of contracts</b>	Starting with 25 <sup>th</sup> of September 2023	23:59 hrs. (Romania time)

**DECLARATION OF AVAILABILITY**

I, ....., the undersigned, hereby declare that I agree to candidate for the selection of state aid expert within Interreg NEXT Black Sea Basin Programme.

I further declare that I am able and willing to work for a period foreseen for the position for which my CV has been included if I will be selected as state aid expert. I understood my responsibilities and I commit to deliver the tasks in time.

I am fully aware that if I do not fulfill the tasks assigned according to the signed labor contract, I will be excluded from the group of the external assessors for performing the quality assessment (strategic and operational) of the project proposals submitted in the framework of the first Calls for Proposals of the Interreg NEXT Black Sea Basin Programme.

**Date**

**Name and Signature<sup>1</sup>**

---

<sup>1</sup> Electronic signature is also accepted

**DECLARATION OF IMPARTIALITY, CONFIDENTIALITY AND AVOIDANCE OF CONFLICT OF INTEREST**

I, the undersigned (a)....., as State aid expert, declare on my own responsibility and in the limit of the information I detain, under the sanction of false in declarations, that I **am not** in any of the situations below:

- I have been involved in drawing up the application form, study related to the application form that will be assessed;
- I hold social parts, interest parts or shares of the subscribed capital of the consulting office/firm that has drawn up the application form that is to be assessed or of the project lead partner and his partners' or entities affiliated to them;
- I am part of the managing board/management or supervision body of the consulting office/firm that has drawn up the application form that is to be assessed or of the project lead partner and his partners' or entities affiliated to them;
- I am the spouse, relative or in-law, up to the second degree inclusively, of persons that are part of the managing board/management bodies or that hold social parts, interest parts or shares of the subscribed capital of the project manager's or his partners' or entities affiliated to them;
- I am the spouse, relative or in-law, up to the second degree inclusively, of the legal representative/contact person of entities holding the quality of lead partner and/or his partners in the project or entities affiliated to them;
- I am an employee of the project lead partner and/or one of his partner's or entities affiliated to them;
- I have a pecuniary personal interest which could influence the objective fulfilling of the attributions I have within the evaluation process;
- I have an interest of nature to affect my impartiality during the assessment process of the application form that is to be assessed.

At the same time, I commit myself to keep confidentiality of the deliberations and of the application contents and of the documents submitted for evaluation, as a whole and by components, as well as on other information presented by the applicant that I will take contact with, whose disclosure may impair the right of the designer and/or applicant to protect its intellectual property and/or commercial secrets.

In case I will identify a situation of conflict of interest after signing the present declaration, I commit myself to immediately update the declaration accordingly.

**Date**

**Name and Signature<sup>2</sup>**

---

<sup>2</sup> Electronic signature is also accepted

## DECLARATION

**Background:**

**South East Regional Development Agency-SERDA acting as Joint Secretariat for Interreg NEXT Black Sea Basin Programme is a processor which processes personal data on behalf of the controller Ministry of Development, Public Works and Administration, acting as Managing Authority for Interreg NEXT Black Sea Basin Programme.**

Personal Data collection, processing and storage are performed according to the provisions of the Regulation No 679/2016 for the purpose of programme implementation by taking all technical and organisational measures necessary in order to ensure the integrity and confidentiality of personal data.

Personal data represent the information relating to an identified or identifiable natural person, as defined for the purposes of Regulation No 679/2016, art4 (1). East Regional Development Agency acting as Joint Secretariat processes the following personal data of applicants for employment: name and surname, date of birth, address of permanent residence, telephone number, email address, education and qualifications.

Under Article 7(3), data subjects have the right to withdraw consent at any time. The request will be addressed by email at: [office@bsb.adrse.ro](mailto:office@bsb.adrse.ro).

The personal data are processed solely for the purposes of the performance, management and monitoring of programme by the Managing Authority/Joint Secretariat and may also be passed to the bodies in charge with monitoring or inspection tasks according to Article 33 of the Commission Implementing Regulation (EU) No 897/2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument or any bodies/entities authorised by the Managing Authority.

**I, the undersigned, ..... hereby declare that by submitting my application for the job vacancy in the Joint Secretariat for Interreg NEXT Black Sea Basin Programme, I consent to have my personal data collected and processed by South East Regional Development Agency-SERDA.**

Date

Name and Signature<sup>3</sup>


---

<sup>3</sup> Electronic signature is also accepted

## PROFESSIONAL EXPERIENCE

POSITION : STATE AID EXPERT

I, the undersigned, ..... hereby declare that all the information and documents supporting them included in this annex are related to the information included in the CV attached.

Programme name	Type of program(1)	Number of assessment processes	Number of assessed projects (2)	Supporting documents (3)

(1) Type of program

A= national, European or international funding programmes;

B = transnational/interregional/cross-border cooperation programmes

(2) Applicable only for transnational/interregional/cross-border cooperation programmes

(3) supporting documents can be: service contract, work contract, letter of recommendation from the final beneficiary, letter of acceptance of services provided issued from the final beneficiary, or other equivalent documents.

Date

Name and Signature<sup>4</sup>

---

<sup>4</sup> Electronic signature is also accepted