



EUROPEAN COMMISSION
DIRECTORATE-GENERAL HOME AFFAIRS

Directorate E – Migration and Security Funds

Unit E.2: National programmes for South and East Europe, evaluation, AMIF/ISF Committee
Unit E.3: National programmes for North and West Europe, budget, MFF, agencies

Note to the Member States

Launch of the 2017 Specific Action pledging exercise under ISF-Borders for the purchase of equipment to be put at the disposal of the European Border and Coast Guard Agency (EBCGA)

Introduction

As part of the reinforcements foreseen for the 2017 EU budget¹, the Commission has secured an additional amount of **EUR 52 million** for the purchase of equipment to be put at the disposal of the European Border and Coast Guard Agency (EBCGA) and to be distributed to the Member States through **Specific Actions** under the Borders instrument of the Internal Security Fund (ISF).

Annex II to the ISF-Borders Regulation (EU) No 515/2014 provides for two categories of Specific Actions, namely actions in the area of consular cooperation and actions linked to the purchase of equipment to support the Agency's operations.

This pledge concerns only the second category:

- ✓ ***Purchasing means of transport and operating equipment that are considered necessary for the deployment during joint operations by the Agency and which shall be put at the disposal of the Agency (in accordance with the criteria established in Article 39 of EBCG Regulation 2016/1624).***

The EBCG Agency should organise the appropriate technical and operational assistance to Member States so as **to reinforce their capacity to implement their obligations** with regard to the control of the external borders and to face challenges at the external borders e.g. resulting from illegal immigration. In this respect, the Agency should, at the request of a Member State or on its own initiative, organise and coordinate joint operations for one or more Member States and deploy European Border and Coast Guard teams as well as the necessary technical equipment.

¹ Annex 2 of the AMIF-ISF/2017/02 note sent to the AMIF-ISF Committee members on 8 February 2017, EC ref. Ares(2017)702148

The main objective of this pledging exercise is to ensure better suitability and availability of equipment for the operations carried out by the EBCG Agency regardless the place of deployment where the given equipment would be needed. Consequently, the equipment purchased under the Specific Actions should enable the Agency to provide for equipment which otherwise would not be available in the Member States hosting those operations.

It is important to stress that the **European Border and Coast Guard Regulation² has further clarified and reinforced the legal obligations of Member States** to put the equipment co-financed through Specific Actions at the disposal of the Agency. Such equipment purchased under the Specific Actions shall:

- be registered in the technical equipment pool managed by EBCGA;
- form part of the minimum numbers of equipment for a given year;
- be made available by Member States for deployment anywhere at the EU external borders at the request of the Agency, unless those Member States are faced with an exceptional situation substantially affecting the discharge of national tasks;
- for rapid border interventions and the so called urgent actions at the external borders, be made unconditionally available by Member States for deployment and, in that sense, they should be offered in the framework of the Rapid Reaction Equipment Pool.

In 2015 more than EUR 130 million was allocated to 13 Member States for EBCGA equipment Specific Actions under the ISF-Borders national programmes for the purchase of 23 different assets which are expected to be gradually registered in the EBCGA technical equipment pool and made available for EBCGA operations in coming months and years.

Given the relatively limited 2017 allocation (EUR 52 million) and taking into account the delayed availability of assets being purchased in the framework of the 2015 exercise, this call for pledges is focused on two type of mobile assets which are expected to bring significant added value to EBCGA operations **in a short period of time** and which are fully aligned with immediate operational and technical deployment needs.

² [Regulation \(EU\) 2016/1624 of 14 September 2016](#)

1. General principles

Specific Actions are designed as top-up funding, i.e. additional amounts that will be added to Member States' basic allocations depending on their willingness to implement under their National Programmes actions that respond to specific Union priorities.

The additional amount available for these Specific Actions will be allocated to the Member States on the basis of their pledges, i.e. applications that will be assessed by the Commission, in close collaboration with the EBCG Agency. If an application for a Specific Action is accepted by the Commission, the action and the corresponding amount will be included in the relevant ISF-Borders National Programme through a revision of the latter.

2. Pledging exercise

In order to allow the Commission to allocate the available additional funding, all applications by Member States for Specific Actions must be assessed at the same time.

Member States are invited to submit their applications at the latest by **21 April 2017** close of business, using the application form in annex accompanied by the Agency's deployment technical fiche. Applications submitted after this deadline will not be considered for the final assessment.

The applications should be submitted through SFC2014 as an 'other Member State document' attached to the most recently approved ISF-Borders National Programme. Member States may submit additional documentation if so desired.

The applications will be evaluated by the Commission in close collaboration with EBCG Agency by end June 2017.

All applications must correspond to equipment listed under paragraph 3. In the event that the Specific Action is over-subscribed, a two-step procedure may be used to refine the selection, where the Commission may ask for further information.

The information on the successful offers will be communicated to the Member States in summer 2017 and the respective revisions of the national programmes are expected to be finalised in autumn 2017.

3. The Agency's equipment needs

In consultation with the EBCG Agency, the two type of mobile equipment³ identified as eligible for this pledging exercise are the following: coastal patrol vessels and coastal patrol boats.

The Member States are invited to submit their offers reflecting the technical specifications and taking into account the elements presented in the table:

Identified equipment	Indicative number of units to be procured by Member States under ISF specific actions	Minimum Technical requirements per TE type	Maximum number of units to be awarded per Member State
Coastal Patrol Vessels	2-3 units (depending on unit price)	<ul style="list-style-type: none"> • an autonomy of no less than 2 days (from 600 nm to 1499 nm) 	1
Coastal Patrol Boats;	8-20 units (depending on price)	<ul style="list-style-type: none"> • Autonomy of no less than 10 hours (up to 600 nm); • Ability to reach the speed of 22 knots or more; • Capability to operate at night. 	3-5

These types of assets are particularly needed during the joint operations and often insufficiently contributed by the Member States. The priority given in this exercise to such assets takes also duly into consideration the relatively limited allocation available (EUR 52 million), which may cover the purchase of two- three bigger assets and a number of smaller assets, and is fully consistent with current planning for the development of the Agency own capacities, notably:

- The fact that in 2017, the Agency envisages to conclude contracts for acquisition of its own technical equipment which most probably will target terrestrial means – patrol cars, Mobile Surveillance Systems, including TVV and radars, Schengen busses, different

³ Fixed equipment is to be financed via the Member States' national programmes.

transportation means, as well as smaller equipment for border surveillance;

- The Agency has already established its own operational capacity for aerial surveillance and it plans to even further extend this capacity by launching a new Framework Contract for aerial surveillance with additional features and better capabilities;

The number of units to be co-financed should be considered as indicative and will depend on the total costs of the best project proposals as compared to the availability of the budget.

In order to ensure the widest possible distribution of co-financed assets between Member States, the Commission intends to limit the number of co-financed assets per Member State (per type).

4. Evaluation methodology

Building on the experience and selection criteria of the 2015 pledging exercise, the assessment of the Specific Actions proposed under this call will be based on the following criteria:

1. **Expertise/price feasibility** – this criterion shall assess the overall quality of the project proposal, including quality of the technical specifications and the adequacy of estimated price per item of equipment. It will also take into account the level of detail provided in the application as for technical expertise and price feasibility, inclusion of information on the future maintenance costs⁴, as well as details on specific equipment available on board of the vessels.
2. **Compliance with the identified needs** – this criterion shall assess the quality of the project proposals including the adequacy of the technical equipment proposed vs the needs identified by the Agency; Compliance with the minimum standards/requirements for technical specifications included in this note and reflecting standards for the inclusion in the Agency's Overall Minimum Number of Technical Equipment (OMNTE)
3. **Likelihood to deploy** – this criterion shall assess the level of likelihood the proposed equipment to be requested by EBCGA for deployment on joint operations. Assessment will take into account, but not be limited to, technical parameters such as range of autonomy as well as transfer cost from the home MS to the operational area compared to the average duration of deployment.
4. **Purchase and Availability** – this criterion shall assess how quickly the requesting Member State would launch and implement the respective procurement procedure and when it would be the latest possible moment in time when the equipment will be

⁴ The maintenance costs are not eligible for financing under the Specific Actions

available for deployment in EBCGA joint operations. In this regard, the feasibility of the procurement process/planning will be taken into account, including the state of development of technical specifications or possibility to quickly adapt/customize existing technical specifications e.g. prepared for similar recent acquisitions as well as prior experience with similar procurements. Also, if applicable, experiences under the 2015 specific actions will be taken into account.

While all the criteria are equally important, it is essential to ensure the earliest possible availability, therefore Member States submitting the successful offers are expected to start the preparatory stages of procurement procedures already after the initial notification by the Commission (Summer 2017) and effectively launch the procurement process shortly after the final revision of the national programmes takes place (Autumn 2017). The Commission will closely monitor the implementation calendars of these important projects.

5. Implementation issues

4.1 General

The additional funding allocated for a Specific Action to the National Programme of a given Member State may not be used for any other purpose than that of implementing the Specific Action awarded. This means that in case of under-spending or non-implementation of the Specific Action, the corresponding amount cannot be transferred to any other part of the national programme or for purchasing other type of equipment than what was awarded. Any unused amounts for which payments have been made by the Commission will have to be reimbursed to the Union budget.

Whereas the standard co-financing rate under the national programmes is 75%, Specific Actions may benefit from an increased co-financing rate⁵ of 90%.

4.2 Use of the purchased assets

Member States shall register the equipment purchased under the Specific Action in the EBCGA Technical Equipment Pool and to make it available to EBCGA in accordance with Article 39 of the EBCG Regulation. The co-financed assets are expected to be put at the

⁵ Article 16(4) of Horizontal Regulation (EU) No 514/2014

disposal of EBCGA during at least 4 months per year. It should be noted that the equipment considered as being put at the disposal of the Agency is the equipment made available for EBCGA-coordinated operations carried out in another host Member State and not in the context of deployments by the host Member States.

The maintenance and operational costs for equipment at the time when it is not being used in EBCGA joint operations or rapid border interventions (i.e. when it is being used for tasks of a national character at the Member State's own borders) are to be borne by the Member State who owns it. These costs are eligible for support from Operating Support under ISF-Borders.

Application form for Specific Actions

EBCGA equipment

- *one application form per type of equipment*
- *to be submitted together with the EBCGA deployment form*
- *Completeness of the requested information will be essential during the evaluation*

1. General part		
Member State:		Date:
Fund: ISF-Borders	Specific Objective: Borders (SO2)	Action: equipment for EBCGA
Type of requested asset:		
Number of items:		
Number of similar / same type of equipment currently in operation at the external border of the applying Member State:		
2. Technical part		
<u>Technical description of asset:</u>		
<u>Description of on-board equipment:</u>		
<u>Expected maintenance and exploitation costs (per year):</u>		
3. Financial part		
<u>Total budget per item⁶:</u>		
<u>Total budget:</u>		EUR.....
<u>Total EU contribution requested:</u>		EUR.....
4. Planning and procurement		
Please explain how fast the necessary <u>technical specifications</u> could be developed?		
Has your service purchased <u>similar equipment</u> in last 10 years?		
Is there any <u>additional national requirements/ procedures</u> before the launch of the procurement (ie earmarking of resources in national budget)		

⁶ including on board equipment

<u>Type of procurement</u> procedure planned:						
If an <u>existing framework</u> or supplier contract will be used please give references and the name of supplier (if known) :						
If <u>direct award</u> is used please provide the justification:						
If applicable, please present the state of play for the purchase of assets awarded under the Specific Actions in 2015. In case of delays against the initial planning, please explain.						
Approximate <u>description of the process</u> , indicating the timing (precise by quarters) and main steps for all stages of the purchase: development of technical specifications, other preparatory stages, tendering, evaluating; contracting, delivery.						
Expected date (precise by quarter) when the equipment will be registered in the EBCGA pool of technical resources and put at the disposal of the Agency:						
Indicative timetable	2017	2018	2019	2020	2021	
Preparatory process, including development of technical specification:						
Launch of procurement:						
Tendering :						
Evaluation:						
Contracting						
Delivery:						
Registration in EBCGA pool						