



# **Tender Regulations**

**Effective date: 1 March 2020.**

**Semmelweis University**

**Senate**

**Decision No. 372020. (II.27.) on 27. February  
on the acceptance of the Tender Regulations**

Upon Book I.1. Paragraph 18. Section (14) -the Organizational and Operational Rules (hereinafter: SZMSZ) made the following Decision:

1. § The Senate of Semmelweis University approved the proposal for the adoption of the Tender Regulations.
2. § The Senate authorizes the Rector and Chancellor of Semmelweis University to regulate the university salary policy applied in the tender procedures by amending the standards of these Regulations' Appendix, thereof in accordance with the provisions prescribed by domestic and foreign supporting organizations and in the calls for proposals and guidelines, in the form of a rector-chancellor joint instruction.
3. § The Senate authorizes the Director of the Innovation Centre to the following:
  - a) to develop, update and publish on its website the templates of the forms that are mandatory in university tender application processes;
  - b) to develop and publish on the website detailed guidelines and recommendations on each type of tender application and procedure to support the application activity.
4. § This Decision and its Annex - the Tender Regulations - will enter into force on **1 March 2020, with the application of it to tenders submitted after its entry into force.**
5. § Simultaneously with the entry into force of this decision, Senate Decision 138/2015 (XI.26.) on Tender Regulations shall be repealed as well as E/3/2017. (V. 23.) rector-chancellor joint instruction on amending certain provisions of the Tender Regulations.

Budapest, 5 March 2020.

Dr. Béla Merkely  
Rector

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## **PREAMBLE**

The Senate of Semmelweis University determines the following to increase the activity of applicants, unify the tender application activities and coordinate them with the strategic goals of Semmelweis University, ensure their soundness, transparency, full compliance with the law and the scientific and economic interests of Semmelweis University.

### **1. GENERAL PROVISIONS**

#### **1.1. Scope and principles of the Regulations**

(1) These Tender Regulations (hereinafter: **Regulations**) aim to record the following: the Semmelweis University (hereinafter: **University**) and its organizational units, departments, as well as tender applications submitted by persons with an employment or student relationship with the University, the provisions concerning the management of the grants received, the procedure, the tasks, rights and obligations of the persons and departments involved in the process.

(2) The tender activity is subject to a notification obligation in accordance with the Regulations to ensure predictability and transparency. Tender decisions are made in a transparent manner and according to objective criteria.

(3) If the Call for Proposal or the rector of the University or the competent manager authorized by him / her does not provide otherwise, in tenders covered by these Regulations the University is the applicant. The application procedures are governed by the applicable legislation, these Regulations and the relevant other regulations and provisions issued by the University.

(4) It is a principle that the grant requested in the tender application should cover all costs, i.e., all costs necessary to achieve the objective of the application; if this is not possible, the University will decide on the submission of the application based on professional and economic considerations.

(5) As the implementers of the winning projects use the infrastructure and human resources of the University, the additional costs must be covered by the application revenues, as far as possible. When planning the tender costs, it must be ensured that the infrastructure used in the implementation, human resource costs, material, and overhead expenses as well as tax and contribution costs are planned as eligible (accountable) costs – if this is allowed by the call for proposals, guidelines, and accounting rules.

(6) The development contribution established for the application revenues in accordance with the University's Management Regulations serves to finance the research and development and innovation projects initiated at the University.

(7) The University provides a service to all its citizens to promote the tender application work. The Innovation Centre (hereinafter referred to as the **IK**) is responsible for finding

possible sources, preparing applications, and implementing winning projects by assistance and co-ordination.

## **1.2. Scope of the Regulations**

- (1) A Scope of the Regulations extends
  - a) to all organizational units of the University.
  - b) persons in a civil service, employment, or other duties on employment relationship with the University;
  - c) those in a student relationship with the University;
  - d) applications submitted by persons referred to in lit. b) in their capacity as employees and by students in their capacity as students, the contracts concluded for them, and the entire application and project implementation activities of those persons;
  - e) applications submitted by natural persons and legal entities with a contractual or consortial relationship with the University for the benefit of the University and / or requiring the consent of the University, the contracts of these, if the contract, consortium, or other agreement concluded with the University so provides.
  
- (2) If outsourced pre-clinical, clinical, or non-clinical research tasks are also performed within the framework of the tender or project implementation activity, the provisions of the relevant university regulations shall also apply – unless otherwise provided in the call for proposals or guidelines.
  
- (3) The Regulations do not apply to tender applications (especially scholarship-type applications) for which the external organization announcing the application lays down different rules in the call for proposals, guidelines, or their annexes (hereinafter collectively: the call for proposals) and for which the University requires the application of special provisions, or about which the Rector disposes otherwise based on the proposal of the Vice-Rector for Science and Innovation.
  
- (4) Except for the New National Program of Excellence competition, in case of tenders not covered by the Regulations the applicant organizational unit is obliged to inform IK about its intention to participate in the application and the result of its application (the sponsor's decision) on the data sheet according to the Application Register system.

### **1.3. Definitions**

Down payment	In the case of post financed-tenders, a pre-determined amount of support (advance payment) may be requested to start the project implementation (or another phase of work), if the call for proposals allows it.
Eligible costs	Expenditure recorded in the grant agreement or grant document, causally related to the purpose of the grant, actually incurred during the eligibility period, and supported by a certificate of accounting.
Beneficiary	The subject applicant for and receiving the grant.
Deductibles, own contribution own resources	Funding provided by the University for the project within the framework of the tender.
Application, grant application, aspiration of funding grant application	The set of documents submitted by the applicant to the sponsoring or intermediate body in accordance with the terms of the call for proposals.
Application Registration System (hereinafter: PNYR)	The IT system established and operated by the University, which ensures a complete and uniform register of the applications and supported projects covered by the Regulations according to certain criteria.
Call for proposals, guide, tender	A set of documents containing the conditions for applying for the grant and implementing the winning project.
Applicant	The University as a legal entity (beneficiary in case of a winning project), as well as in the case specified in the Regulations, the university organizational unit or person submitting the application.
Project preparation	As a general rule, the period from the date of publication of the call for proposals to the day before the start of the project, as set out in the grant agreement.
Project maintenance obligation and report	As defined by the sponsor, the beneficiary is obliged to maintain the results of the project and to report the maintenance in the manner and for the period specified in the grant agreement (grant document).

Project implementation	Work phase of project implementation, fulfilment of project goals. Unless otherwise specified in the call for proposals, the project will be implemented if the supported activity is completed (physically completed) as defined in the grant agreement, grant document and the eligible documents generated during the implementation are settled.
Grant agreement, letter of support	A contract concluded between the beneficiary and the sponsor or the organization acting on its behalf, containing the detailed rules for granting and using the grant in accordance with the relevant legislation.
Post financing	Subsequent reimbursement of the grant number of invoices or other supporting documents paid by the organization involved in the implementation of the project directly to the beneficiary's current account.

## **2. DETAILED PROVISIONS**

The order of the tender procedures specified in the Regulations covers electronic and paper-based, domestic, and foreign (international) tenders. The regulation and professional coordination of tender procedures is the task and responsibility of the IK. In cooperation with the IK, the relevant organizational units of the University participate in the performance of the tender activity as described in the Regulations.

### **2.1. Tender monitoring, information**

- (1) The IK continuously monitors the domestic, European Union and international tender opportunities published by the supporting and participating organizations. In its newsletter and on its website, IK regularly provides information to the organizational units of the University about domestic and foreign applications, support programs, scholarships, and partner searches.
- (2) If a person or department covered by the Regulations wishes to apply for a call that was not included in the above prospectuses, it will send a signal to the IK, which will check the relevance of the call to the University.

### **2.2. Organizational units involved in University tender activities.**

#### **2.2.1 Innovation Centre**

- (1) IK publishes the general university data and sample forms required for the preparation of the applications on its website and makes them available to the applicant upon request.
- (2) It helps to fill in and upload the application documents to the electronic interfaces.

- (3) It provides professional support and consultation on calls for proposals, project preparation and budget planning. The application is compiled by individual decision of the heads of the University (Rector, Chancellor, Vice-rector for Science and Innovation).
- (4) It helps to provide the data required for horizontal commitments - related to equal opportunities and environmental sustainability. Based on the list sent by the applicant, the IK will obtain the necessary data within 6 working days from the relevant organizational units, which will forward them to the IK within 3 working days of the request. Organizational units involved in the provision of data:
  - a) public utility data: Investment and Facility Maintenance Directorate,
  - b) environmental data: Security Directorate,
  - c) human resources data: Directorate-General for Human Resources Management.
- (5) It performs coordination and secretarial tasks related to the operation of the Tender Monitoring Committee (hereinafter: PFB), as well as provides professional opinions on proposals, initiatives, and inquiries to be submitted to the PFB based on its coordination and secretariat powers.

#### 2.2.2 Directorate-General for Economic Affairs (Finance Directorate, Controlling Directorate, Procurement Directorate)

- (1) Helps to prepare the application budget.
- (2) In co-operation with the IK, it checks that the budget is in line with the provisions of the call for proposals, legislative and university regulations.
- (3) In the event of a deductible, it will check the details of the provision of cover.
- (4) It prepares the (public) procurement plan with the involvement of the Procurement Directorate of the Directorate-General for Economic Affairs when compiling the application, if (public) procurement is planned in it. The Procurement Directorate provides data on procurement-related expenditures when budgeting; describes the related (public) procurement regulations, assists in their practical application and preparation of the plan. If, after the signing of the grant agreement or during implementation, it becomes necessary to modify the (public) procurement plan, the project management must do so with the involvement of the Procurement Directorate and monitor the agreed deadlines and inform those concerned.

#### 2.2.3 Directorate-General for Legal and Administrative Affairs

The Directorate-General for Legal and Administrative Affairs (hereinafter: JIF) performs the tasks related to the legal opinion and countersign of draft contracts and declarations and agreements in accordance with the provisions of the applicable legislation and the university regulations.

#### 2.2.4 Directorate-General for Human Resources Management



- (1) It provides data and technical assistance for the compilation of the human resources management action plan of the application, and for the clarification of issues related to employment, wages, and training.
- (2) It prepares appointments and amendments to appointments related to personal payments and ensures that they are signed. Provide the templates for the preparation of other contracts; these are signed by the project management.
- (3) Upon the request of the applicant or the organizational unit competent according to the Regulations, it provides professional assistance in matters related to employment, salary, and training.

#### 2.2.5 Directorate-General for Technology

- (1) To ensure the special expertise (such as technical, investment, IT) within its competence, it provides support for the preparation of the tender and the implementation of the project.
- (2) It performs professional management and coordination tasks if developments related to the provision of investment, building renovation, construction, energy, or public utility supply take place within the framework of the tender and project implementation activities.

### **2.3 Tender Monitoring Committee**

#### 2.3.1 Powers and operation of the Tender Monitoring Committee

- (1) The PFB is a decision-making and supervisory body at the university level for the application activities covered by the Regulations, whose task is to ensure the professional and economic interests of all institutions during the application activities.
- (2) Members of the PFB are:
  - a) the Rector
  - b) the Chancellor
  - c) the Vice-Rector for Science and Innovation
  - d) the Director-General for Economic Affairs
  - e) the Director of Innovation
- (3) Faculty Deans or their proxy, designated staff of the IK and the Directorate-General for Economic Affairs, as well as other experts on a case-by-case basis, subject to prior notification by the PFB members and invitees may participate in the work of PFB as invitees without voting rights. At the PFB meeting, applicants may be given the opportunity to present their work in person.

- (4) The PFB exercises its powers jointly as a body. A member of the PFB may also be represented by a person in a civil service relationship with the University by proxy during the decision-making and supervisory procedure. Based on the above, the member of the PFB issues a permanent or ad hoc power of attorney in writing, specifying the nature of the power of attorney (permanent / ad hoc) and, if necessary, the position / decision represented in the matter under the power of attorney.
- (5) The decisions of the PFB are made
  - a) in person (in the form of a face-to-face or face-to-face meeting of the board (via an electronic communications network such as / e.g., skype)), or
  - b) by written decision-making (paper-based or electronic means (e.g., e-mail)).
- (6) The meeting of the PFB is convened and chaired by the Director of Innovation. A meeting has a quorum if the Rector (his / her proxy), the Chancellor (his / her proxy) and another member with a voting right (his / her proxy) are present. The PFB makes its decisions by a majority; in case of equality of votes, the vote of the rector (his / her proxy) decides. In accordance with Section 13/A of the CCIV of 2011 on National Higher Education the Chancellor exercises the right of consent in respect of decisions of the PFB which have economic consequences for the management, organization, and operation of the University, i.e., the consent of the Chancellor is required for the validity and entry into force of these decisions.
- (7) The PFB board meeting (including electronic decision-making) is convened by the Director of Innovation.
- (8) Coordination and secretarial tasks related to the operation of the PFB shall be performed by the IK. IK in this context
  - a) draw up the agenda,
  - b) prepare a proposal on the received application requests, if any, including the optional decision variants,
  - c) provide committee members with the information they need to make decisions,
  - d) draw up a proposal for a decision for each item on the agenda,
  - e) after the vote, arrange for the decision(s) to be signed,
  - f) forward the decisions of the PFB to those concerned; records, preserves, and archives Commission documentation.
- (9) IK prepares the minutes of the meeting containing the details of the meeting (agenda, date, participants, quorum, decisions).
- (10) The validity and outcome of the decision-making is determined by the Director of Innovation. The IK will send the information on the decision of the PFB to the affected applicants electronically within a maximum of 8 working days.
- (11) In case of non-fulfilment or improper fulfilment of any obligations related to the application, project implementation, maintenance, the PFB decides on the

consequences of these actions (e.g., does not approve the submission of an application by the applicant concerned for a specified period).

## **2.4 Contribution from external persons**

According to the Regulations, a (external) researcher who does not have a legal relationship with the University is obliged to participate in the preparation of the application if the University has issued an institutional acceptance statement for the University to participate in the application or implement the project.

## **2.5 Procedures for the submission, evaluation, and the conclusion of grants agreement**

### **2.5.1 Submission of the tender application**

- (1) As a rule, the applicant organizational unit (person) must submit the PNYR Sheet of each application to the PFB via the IK.
- (2) Applications that jointly meet the following conditions do not need to be submitted to the PFB:
  - a) the total budget is below HUF 50 million;
  - b) the aid intensity is 100%;
  - c) the planned value of the development contribution is equal to the maximum amount that can be eligible as general (indirect) costs according to the call for proposals;
  - d) can be administered in unlimited numbers.
- (3) Tenders for infrastructure development, equipment procurement are also exempted from the PFB procedure if there is no maintenance obligation for operation (maintenance, repair, cleaning, safety inspection, certification, calibration, replacement of consumables, wear and tear, disposable equipment, etc.).
- (4) Applications will be evaluated by the PFB, and the Director of Innovation may define general principles and call on experts to evaluate the applications.
- (5) The organizational units and persons covered by the Regulations shall notify the IK in advance (paper-based request or e-mail) of their intention to apply, considering the provisions of this section 2.5.1 (1)–(3).
- (6) The primary condition for permission to start the tender is that the applicant fills in the application form according to the PNYR available on the IK's website and sends it to the IK.
- (7) The completed PNYR form must be sent to IK no later than 8 working days before the deadline for submission of the application to the sponsor. In exceptional cases, the PFB may accept the entry in case of a shorter submission time. The request shall then state the need for the special procedure, the adoption of which shall be decided by the PFB.

- (8) The PFB decides on the start of the tender, with the exceptions specified in these Regulations.
- (9) 15 days before the official submission of applications and grant applications planned to be submitted within the framework of domestic operational programs (e.g., EFOP, VEKOP, KEHOP), the University is obliged to send all project proposals to the maintainer, for which there is a maintenance obligation in addition to data retention and data provision. (in particular: Preservation of HR capacities, operation of services or infrastructure). The required data is provided by the IK to the maintainer; and applicants must send the reservation information to the Board of Directors no later than 16 days prior to submission (as part of the PFB documentation in the case of a PFB procedure).

#### 2.5.2 Financial planning of the project

- (1) As a main rule, the application (project) must be planned, approved by the PFB, and submitted to the sponsor in such a way that it does not include the University's institutional co-payment. If the provision of a deductible is obligatory based on the call for proposals, the applicant organizational unit must provide it from its own framework. If the applicant department does not have its own contribution, the Chancellor may, on a proposal from the PFB, authorize its provision from the institutional budget.
- (2) The costs of infrastructure, human resources, material, and overhead costs used in the implementation shall be planned as eligible costs together with their tax and contribution burdens.
- (3) The budget of the tenders must be prepared by planning the maximum amount of general (indirect, overhead) costs allowed by the given tender, settlement rule.
- (4) The development contribution must be considered when drawing up the budget. The development contribution is used to cover university investment, replacement, expansion, IT, research and development, and innovation plans and needs. The development contribution is also a source of funding for the Semmelweis Science and Innovation Fund.
- (5) The amount of the development contribution is the general (indirect, indirect) cost as a maximum percentage or amount allowed by the given call for proposals.
- (6) Development costs are not charged to cost elements of individual or wage and scholarship-type applications (e.g., Marie-Skłodowska Curie actions) that are directly linked to the researcher's identity. In such cases, the development contribution applies only to institutional overheads.
- (7) Expenditure on infrastructure development, construction, building renovation, acquisition of equipment and other costs eligible for accumulation costs (their acquisition value including VAT) are exempt from the development contribution.

- (8) At the request of the applicant, the PFB will consider a total or partial exemption from the development contribution if the applicant has made a mandatory deductible under the call for proposals in accordance with *Section 2.5.2 para (1)* or if the call for proposals does not allow the settlement for flat-rate costs. In this case, the PFB may contribute to the self-financing and the total or partial exemption from the development contribution after professional and economic considerations.
- (9) The PFB may also consider a reduction or exemption from the development contribution at the request of the applicant based on actual budgetary data and based on the relevant legal responsibilities if the department has an average institutional budget of three years prior to the submission of the application. In its revenues, the tender revenues exceeded:
- a) 25%, in which case the rate of general (indirect) costs paid as a development contribution in the maximum percentage or amount allowed by the call for tenders shall be reduced by 25%,
  - b) 50%, in which case the rate of general (indirect) costs paid as a development contribution is reduced by 50% of the maximum percentage or amount allowed by the call for tenders,
  - c) 75%, in which case the rate of general (indirect) costs paid as a development contribution in the maximum percentage or amount allowed by the call for tenders shall be reduced by 75%,
  - d) 95%, in which case the maximum percentage or amount of overhead (indirect) costs allowed as a development contribution allowed by the call for tenders will be reduced to zero.
- (10) If the University performs consortium leader or project management tasks in the application, the maximum amount of coordination or project management costs allowed by the call for proposals must be planned in the budget.
- (11) In the case of a project involving public procurement, the public procurement costs that can be accounted for according to the call for tenders - agreed with the Procurement Directorate - must be planned in the budget.

### 2.5.3 Compilation of the application

- (1) To prepare the application, the applicant may request the assistance of the IK and the competent organizational units of the University. The task of these organizational units is to provide the required professional support, which does not mean the complete preparation of the application or the necessary documents.
- (2) The applicant may also use the assistance of an external tenderer in the following cases:
- a) this is covered by its institutional budget, or
  - b) the external tenderer to be used declares in writing at his own risk in advance that he will validate the remuneration for the tender writing activity only in the case of a winning tender, or

c) in the case of a consortium application, one of the members of the consortium declares in writing in advance that it will cover the remuneration for the application writing activity at its own expense, regardless of the success of the application.

(3) The applicant shall notify the IK of the use of the external application writer and their details.

#### 2.5.4 Signing of the tender application

(1) The parts of the application relevant for the signature will be together sent by the applicant to the IK, at least 8 working days before the deadline for submission to the sponsor.

(2) The relevant provisions of the University, in particular the provisions of the Commitment Regulations, shall apply to the document signing process. General order of signing:

a) The IK checks that the application has been discussed by the PFB; examines its compliance with the contents of the call for proposals and agrees with the applicant in case of errors. The complete dossier is sent to the Directorate-General for Economic Affairs for financial control within 2 working days.

b) The Directorate-General for Economic Affairs checks the adequacy of the budget within 2 working days and, after signing, forwards the application material to the Chancellery Secretariat, which forwards the documentation to the Rector's Secretariat. There are 6 working days for the entire signing process - from the submission of the application to the IK. After the management signatures, the IK notifies the applicant that he/she can take over the application material. It is the responsibility of the applicant to submit the application documentation to the supporting or intermediate organization in the manner and at the time specified in the call. In the case of electronic uploading the IK will assist the applicant to do so.

c) All departments must immediately notify the IK if there is a problem with the timely completion of signatures.

d) The information and licensing activities under this *Section 2.5.4 lit. b)* must be carried out by the applicant even if the signature of the official representatives of the University is not required for the submission of an application. Failure to do so the PFB as well as university leaders may refuse to sign the grant agreement. The applicant department that fails to fulfil the prescribed obligations shall be liable for damages resulting from the non-conclusion of the contract.

#### 2.5.5 Procedures for the evaluation and remedying deficiency phase of the application by the sponsor

After the submission of the application, the task of the applicant is to respond to the letters from the supporting, cooperating organizations on time, to compile the requested documents, and to take the expected measures. The IK and the relevant central organizational units provide professional assistance in answering the clarifying questions and in performing the tasks specified in remedying deficiencies. The university signature of the documents to be submitted is to be in accordance with Section 2.5.4. para (2).

#### 2.5.6 Procedures for concluding contracts for successful tenders.

- (1) Within 5 working days of receiving the decision to support or reject the submitted application, the applicant (designated project manager, contact person) must send a copy of the notification to the IK. If the IK is notified directly of the sponsor's decision, it will ensure that the applicant is informed.
- (2) In case of support of the application, a contract or acceptance of a support document will be concluded according to the call for proposals. It is the applicant's responsibility to obtain and prepare the documents required by the supporting organization in the appropriate form and content, by the deadline, as well as to fill in the forms specified by the IK and attach the necessary annexes.
- (3) The IK and the relevant departments provide technical assistance for the conclusion of the contract. The signing of the grant agreement is in accordance with Section 2.5.4. with the following addition:
  - a) The IK forwards the draft contract / grant document sent to it to the JIF together with the necessary completed internal forms.
  - b) The JIF shall deliver an opinion on the draft grant agreement as set out in the Rules of Procedure.
- (4) If a pre-commissioned outsourced preclinical, clinical, or non-clinical research contract is concluded within the framework of the application, the IK will forward the draft contract to the competent organizational unit according to the Organizational and Operational Regulations of the University. From now on, the two units will jointly coordinate the process in accordance with the relevant university regulations.
- (5) The signing of draft contracts within the University is the responsibility of the IK.
- (6) An original copy of the contracts also signed by the sponsor must be sent by the applicant to the Finance Directorate and an electronic copy to the IK and the JIF.

## **2.6 Rules for funded projects**

### 2.6.1 Procedures for the implementation of projects

- (1) In the case of commitments undertaken at the expense of the winning projects and grants, the University's Commitment Regulations must be followed.
- (2) The members of the project management are primarily responsible for the professional and financial implementation of the projects, the fulfilment of the goals and the professional and horizontal commitments. The project management cooperates with the IK regarding the tasks set out in the Regulations.

### 2.6.2 Preparation of professional and financial reports

- (1) The compilation of professional and financial reports is the task of project management, for which the competent organizational units of the university provide assistance.
- (2) The completed reports and payment applications must be signed with the authorized university leaders before submission. The signing tasks are performed by the IK in 2.5.4. as set out in the first sub-section. In case of remedying deficiencies, the project management takes care of the preparation and submission of the corrections, and the implementation of the expected measures.

### 2.6.3 Project closure

- (1) The process of closing the project is included in the call for proposals and the grant agreement. According to the decision of the sponsor, the beneficiary must submit a final report and a request for payment.
- (2) The project can be considered closed in accordance with the relevant legislation, the call for proposals and the conditions of the grant agreement / grant document, in particular if the grant or intermediate body has accepted the final report, payment claim, has transferred the eligible costs and in some application types – has sent a letter closing the project.
- (3) Depending on the type of application or the amount of the grant, an audit will be carried out before closure.
- (4) In the financial settlement, the number of invoices and salaries not accepted by the supporting, cooperating organization must be reimbursed to the University by the organizational units participating in the implementation of the project, whose invoices and certificates of performance have been rejected.

### 2.6.4 Audit and monitoring

- (1) With the establishment of the legal relationship upon the grant, the University acknowledges and accepts the auditing activities of the sponsor and the bodies specified in the law related to the use of the grant. In case of the project management is aware of inspection, they must inform the IK about it in advance and, in the case of inspections of external bodies controlling the management, the Chancellery Cabinet must be informed upfront. If an action plan is prepared based on the audit, the plan and information on its implementation must also be sent to the Cabinet of the Chancellor.
- (2) The project management must ensure that the requested documents and information are available at the on-site inspection, that the purchased tools and equipment can be viewed, that the authorized representative of the University is present and signs the report prepared based on the examination. The Vice-Rector for Science and Innovation of the University may, on the initiative of Director of Innovation, appoint persons who will personally participate in the audit on behalf of the University.



- (3) The protocol containing the findings of the audit is signed by the project manager on behalf of the University. Beneficiary rights and obligations related to the audit may be assumed by the Rector of the University.

#### 2.6.5 Content and storage of tender documents

The storage and registration of project documents must be ensured by all relevant organizational units within the scope of project management and professional responsibility until the deadline prescribed by law and the grant agreement and make accessible to the entitled, authorized organizations and persons. If project originals are not available for the project management, a copy or electronic (scanned) version is required to be kept. The provisions of the Records Management Regulations also apply to the handling of documents created during the application and project implementation process.

#### 2.6.6 Maintenance

- (1) The start of the retention period is the day after the approval of the final report of the project, unless otherwise provided by law or the external support organization in the call for proposals. During the maintenance period, the results of the project must be maintained by the beneficiary. In most cases, the maintenance obligation and its duration are set out in the call for proposals or the grant agreement.
- (2) Project management is responsible for the preparation and submission of the maintenance report, the safekeeping of the project documentation as described in the Regulations, the participation in the on-site inspections and the availability of the documents. In case of obstruction of the project management or termination of their employment – as a general rule – it is the task of the organizational unit(s) implementing the project to prepare the report; under the responsibility of the head(s) of department(s). Costs incurred during the maintenance period shall be borne by the implementing organizational units).
- (3) The IK maintains a record of winning projects with maintenance obligations. The statement shall include details of the beneficiary / consortium partners and the sponsor; the subject (title) of the tender; duration; application indicators; the total amount of aid and the length of the maintenance period (with end date).

### **3 APPENDIX: APPLICATION OF THE MAXIMUM WAGE FOR EU CO-FINANCED PROJECTS**

- (1) EMMI's letter with registration number 14289/24/2017 / FEKUTSTRAT stipulates the application of a maximum wage in the implementation of projects co-financed by the European Union with a priority, standard and simplified selection procedure. Deviations from the wage ceilings set out below are possible as detailed in paragraphs 9 to 12.
- (2) In the case of the project manager, financial and professional manager, the maximum amount of personal salary payable is HUF 747,228 gross. If a sub-project manager is employed within the framework of the project, the maximum personal salary that can be provided to them may be HUF 586,444 gross.
- (3) The maximum cost of assistants, coordinators, junior and senior staff assisting project management and professional implementers is set out in the referenced letter at HUF 291,000 gross per month.
- (4) The maximum amount of the personal salary of the professionals directly involved in the professional implementation can be planned based on the FEOR code, with a deviation of 30%. The statistical data required for planning can be found on the website of the National Employment Service.
- (5) These provisions apply to both projects that do not yet have a grant agreement and those that already have one. For the latter, it is possible to consider amending the grant agreement, provided that this does not jeopardize the implementation of ongoing projects. However, this measure does not affect projects implemented in the form of consortia, which also include members who do not have the powers of management and supervision of the maintainer of the University. The application of wage ceilings for all EU projects is monitored by the organizations responsible for the proper use of grants.
- (6) The IK continuously provides data to the Directorate-General for Human Resources Management (hereinafter: EGFI) for the relevant EU projects and to the Directorate General for Economic Affairs on the internal (CO) order numbers for these projects. Based on the statement, to which the IK attaches data and conditions relevant to the human resources and human resources management of the given applications, the EGFI reviews the remuneration practices applied for the projects concerned. If these details or conditions do not meet the requirements of the maintainer, it will take action to amend the remuneration agreements.
- (7) Should the above amendment justify a revision of the grant agreement, the EGFI, together with the IK, will propose this to the Rector and Chancellor of the University.
- (8) Pursuant to EMMI letter 14289-39 / 2017 / FEKUTSTRAT, the following more favourable rules may be applied to projects implemented under the EFOP and affected by the wage ceiling. If the state higher education institution requesting the support, the professional manager, the sub-project manager, and the other professional implementers

are available on the website of the National Employment Service for planning their salaries [See para (4)], depending on the nature of the activity carried out in the project, a maximum deviation of 100% from the earnings data is allowed, provided that a deviation of more than 30% is justified.

- (9) The sum of the monthly salary of the staff of the institution determined for the participation in the European Union project and the monthly salary and salary supplement determined for the participation in the European Union project may not exceed the officially published average gross monthly income for the year preceding the reference year tenfold.
- (10) If it is not possible to determine the earnings data according to the FEOR code, the aid applicant must prove compliance with the market price by at least three comparable, valid written tenders on the same subject from independent tenderers.
- (11) In the case of EFOP calls setting maximum wages, the more favourable rules may be enforced during the grant agreement process or in the framework of a contract amendment to be initiated by the beneficiary at the EFOP Managing Authority on the Single Applicant Electronic Interface (EPTK), considering the procedure described in para 7.

**ANNEX: Audit trails**

	Process steps	Preparation steps	Levels of responsibility					Document generated as a result of a process
			Task manager	Controlled by	Control method	Approved by	Mode of approval	
1	Tender monitoring, information	Monitoring affected websites	tender coordinator	n.a.	n.a.	n.a.	n.a.	tender newsletter, website information
2	Submission of a grant application,	Preparation of a grant application,	an assigned clerk in the applicant department	an assigned controller in the applicant department	oversight	head of the applicant department	signature	competitive tender, letter e-mail
3	Submission to the Tender Monitoring Committee (PFB)	Compiling the submission upon the information received	tender coordinator	tender group leader	oversight	Director of Innovation	oral permit	PFB submission
4	Decision on the submission of the competitive tender	n.a.	n.a.	n.a.	n.a.	PFB	decision	decision of the PFB
5	Compilation of the application	Preparation of the tender documentation, completing template forms	an assigned clerk or tender coordinator in the applicant department	an assigned controller or tender group leader in the applicant department	oversight	head of the applicant department or Director of Innovation	signature	tender documentation, completed template forms
6	Signing of the competing tender upon submission	Delivery of documents awaiting signature to signatories	tender coordinator	tender group leader	oversight	University signatory(ies) in accordance with the Commitment Regulations	signature	signed documents

Tender Regulations

	Process steps	Preparation steps	Levels of responsibility					Document generated as a result of a process
			Task manager	Controlled by	Control method	Approved by	Mode of approval	
7	Submission of a grant application,	n.a.	an assigned clerk or tender coordinator in the applicant department	an assigned controller or tender group leader in the applicant department	reporting	head of the applicant department or Director of Innovation	decision	acknowledge of receipt, charging feedback on an electronic interface
8	Remedying deficiencies, answering clarifying questions	Elaborating answers	an assigned clerk or tender coordinator in the applicant department	an assigned controller or tender group leader in the applicant department	reporting	head of the applicant department or Director of Innovation	signature	documents remedying deficiencies
9	Signing of documents remedying deficiencies, the answers to clarifying questions	Delivery of documents awaiting signature to signatories	tender coordinator	tender group leader	oversight	University signatory(ies)	signature	signed documents
10	Submission of documents remedying deficiencies	n.a.	an assigned clerk or tender coordinator in the applicant department	an assigned controller or tender group leader in the applicant department	reporting	head of the applicant department or Director of Innovation	decision	acknowledge of receipt, charging feedback on an electronic interface
11	Preparation of the contracting documentation	Preparation of the Draft Contract and the Annexes thereto	an assigned clerk or tender coordinator in the applicant department	an assigned controller or tender group leader in the applicant department	reporting	head of the applicant department or Director of Innovation	signature	draft of the contract and the annexes thereto
12	Signing of the grant agreement	Delivery of documents awaiting signature to signatories	tender coordinator	tender group leader	oversight	University signatory(ies) in accordance with the Commitment Regulations	signature	signed documents

Date of entry into force: 1 March, 2020.

*Tender Regulations*

	<b>Process steps</b>	<b>Preparation steps</b>	<b>Levels of responsibility</b>					<b>Document</b>
13	Submitting the grant agreement	n.a.	an assigned clerk or tender coordinator in the applicant department	an assigned controller or tender group leader in the applicant department	reporting	head of the applicant department or Director of Innovation	signature	acknowledge of receipt, charging feedback on an electronic interface
14	Conclusion and closure of the tender	Carrying out professional and administrative activities	project management, participants, contributors	persons in charge of monitoring during implementation	follow-up, review, reporting	project management, University leaders	permission, decision, signature	professional contents and tender documents generated during the implementation
15	Maintenance of the tender	Ensuring professional and horizontal commitments	project management, tender coordinator	persons in charge of monitoring during maintenance	oversight, reporting	leader of the applicant department or the Director of Innovation	signature	project maintenance reports