



QOMBS LEGAL AND FINANCIAL ISSUES



Donata Fornaciari and Pasqualina Pipino

Qombs kick-off meeting, Florence, 2018 November 29th - 30th





THE REFERENCE DOCUMENTS

- **The Grant Agreement**
58 articles and 6 annexes
- **The Consortium Agreement**
12 sections and 5 attachments



GRANT AGREEMENT

Terms and Conditions

Chapter 1: General

- Single article: subject of the agreement

Chapter 2: Action

- Action, duration and budget

Chapter 3: Grant

- Amount, reimbursement rates, eligible costs

Chapter 4: Rights and obligations

- To implement the action: resources, in-kind contributions, subcontracts
- Grant administration: reporting, payments, audits
- Background and results: access rights, protection of results, exploitation, dissemination
- Others: gender equality, ethics, confidentiality

Chapter 5: Division of roles

- Roles and responsibilities, internal arrangements

Chapter 6: Rejection, reduction, penalties, termination, etc.

- Rejection, reduction, recovery and penalties
- Suspension and termination of the action

Chapter 7: Final provisions

- Accession, entry into force, amendments, applicable law



ANNEXES to the GRANT AGREEMENT

Annex 1: Description of the Action

Annex 2: Estimated budget (Annex 2a – unit costs)

Annex 3: Accession Forms, 3a & 3b

Annex 4: Financial statements

Annex 5: Certificate on the financial statements

Annex 6: Certificate on the methodology



ANNEX 1: DESCRIPTION OF THE ACTION

Annex 1: Description of the Action

Annex 2: Estimated budget (Annex 2a – unit costs)

Annex 3: Accession Forms, 3a & 3b

Annex 4: Financial statements

Annex 5: Certificate on the financial statements

Annex 6: Certificate on the methodology

Contains the details of how the action will be carried out.

- **PART A** generated by the IT system;
- **PART B**: the narrative part of the description of the action. It is the the result of the document uploaded in the proposal phase as a PDF document

RESEARCH & INNOVATION
Participant Portal - Grant Management

MY PROJECT
HORIZON 2020

Call: H2020-FETFLAG-2018-03
Type of Action: RIA
Acronym: Qombs
Current Phase: Grant Management
Number: 820419
Duration: 36 months
GA based on the: H2020 General MGA — Multi - 5.0
Start Date: 01 Oct 2018
Estimated Project Cost: €9,335,635.00
Requested EU Contribution: €9,335,635.00
Contact: Dagmar FLOECK

Order by: Process Date All

Date	Documents
February 2018	▶ Proposal (1)
May 2018	▶ Evaluation Summary (1)
June 2018	▶ Evaluation Result Letter (1) ▼ Grant Agreement (1) Grant Agreement-820419-Qombs
	▼ Grant Declaration (1) GA Declaration - GAP-820419 - 999979500
August 2018	▶ GrantData (1)
September 2018	▶ Prefinancing (1)

Latest Legal Data
Active Processes
Document Library

Download the last version of the Annex 1 from the **Document library** tab



ANNEX 2: ESTIMATED BUDGET

Grant Agreement number: 820419 — Qombs — H2020-FETFLAG-2018-2020/H2020-FETFLAG-2018-03

ESTIMATED BUDGET FOR THE ACTION

Associated with document Ref. Ares(2018)4200111 - 10/08/2018

- Annex 1: Description of the Action
- Annex 2: Estimated budget (Annex 2a – unit costs)
- Annex 3: Accession Forms, 3a & 3b
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Form of costs ^d	Estimated eligible ¹ costs (per budget category)										EU contribution		
	A. Direct personnel costs			B. Direct costs of subcontracting		[C. Direct costs of fin. support]	D. Other direct costs		E. Indirect costs ²	Total costs	Reimbursement rate %	Maximum EU contribution ³	Maximum grant amount ⁴
	A.1 Employees (or equivalent)	A.4 SME owners without salary		Actual	Actual	Actual	Unit ⁶	Flat-rate ¹⁰					
	A.2 Natural persons under direct contract	A.5 Beneficiaries that are natural persons without salary							D.1 Travel	D.5 Costs of internally invoiced goods and services			
	Actual	Unit ⁷	Unit ⁸		Actual	Actual	Actual	Unit ⁶	Flat-rate ¹⁰				
	a	Total b	No hours	Total c	d	[e]	f	Total g	h = 0,25 x (a + b + c + f + [f] × [i] + [f] × [j]) ¹⁰	j = a + b + c + d + [e] + f + g + h + [i] + [j]	k	l	m
1. CNK	1.333.019,00	0,00			0,00	0,00	692.240,00	0,00	506.344,75	2.531.723,75	100,00	2.531.723,75	2.531.723,75
2. ETH Zürich	933.286,00	0,00			0,00	0,00	230.550,00	0,00	290.859,00	1.454.795,00	100,00	1.454.795,00	1.454.795,00
3. TUM	198.693,00	0,00			0,00	0,00	18.400,00	0,00	54.333,25	271.616,25	100,00	271.616,25	271.616,25
4. UPDiderot	394.890,00	0,00			50.000,00	0,00	260.000,00	0,00	163.723,50	868.612,50	100,00	868.612,50	868.612,50
- CNRS	78.340,00	0,00			0,00	0,00	0,00	0,00	18.590,00	97.930,00	100,00	97.930,00	97.930,00
Total beneficiary	473.250,00	0,00			50.000,00	0,00	260.000,00	0,00	183.312,50	966.562,50		966.562,50	966.562,50
5. ASI	214.000,00	0,00			0,00	0,00	106.000,00	0,00	80.000,00	400.000,00	100,00	400.000,00	400.000,00
6. Alpes Lasers	567.000,00	0,00		0,00	0,00	0,00	392.250,00	0,00	239.812,50	1.199.062,50	100,00	1.199.062,50	1.199.062,50
7. ppqSense	162.324,55	0,00	715,00	25.475,45	0,00	0,00	92.000,00	0,00	70.000,00	350.000,00	100,00	350.000,00	350.000,00
8. IRweep	591.157,00	0,00		0,00	0,00	0,00	179.083,00	0,00	192.560,00	962.800,00	100,00	962.800,00	962.800,00
9. Menlo Systems	375.000,00	0,00		0,00	14.000,00	0,00	250.000,00	0,00	156.250,00	795.250,00	100,00	795.250,00	795.250,00
10. THALES	260.240,00	0,00		0,00	0,00	0,00	62.800,00	0,00	80.765,00	403.825,00	100,00	403.825,00	403.825,00
Total consortium	5.108.189,55	0,00		25.475,45	64.000,00	0,00	2.283.640,00	0,00	1.854.327,00	9.335.635,00		9.335.635,00	9.335.635,00

Additional information		
Information for indirect costs	Information for auditors	Other information:
Estimated costs of in-kind contributions not used on premises	Declaration of costs under Point D.4	Estimated costs of beneficiaries/linked third parties not receiving funding/international partners
n	Yes/No	
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	n/a
0,00	No	0,00

Art. 4.1 The estimated budget for the action is set out in Annex 2

Total costs and maximum grant amount' is EUR 9,335,635

Qombs kick-off meeting, Florence, 2018 November 29th - 30th



Art. 4.2 - BUDGET TRANSFERS

Chapter 1: General
Chapter 2: Action
Chapter 3: Grant
Chapter 4: Rights and obligations
Chapter 5: Division of roles
Chapter 6: Rejection, reduction....
Chapter 7: Final provisions

The estimated budget breakdown indicated in Annex 2 may be adjusted by transfers of amounts **between beneficiaries or between budget categories (or both)**.

This does not require an amendment according to Article 55, if the action is implemented as described in Annex 1.

What not: The GA allows transfers of budget, **not of tasks**

If the budget transfer is due to a significant change in Annex 1, an **amendment** to the GA is needed. A significant change is a change that affects the technical work (the 'tasks' of the action) of Annex 1.



Art. 4.2 - BUDGET TRANSFERS

	Budget transfers and re-allocation	Amendment needed?
Chapter 1: General		
Chapter 2: Action	From one beneficiary to another	NO
Chapter 3: Grant	From one budget category to another	NO
Chapter 4: Rights and obligations	Re-allocation of Annex 1 tasks	YES
Chapter 5: Division of roles		
Chapter 6: Rejection, reduction....	Transfers between forms of costs (actual costs, unit costs, etc.)	YES if the 'form' receiving the transfer was not included in the budget (example a new unit cost)
Chapter 7: Final provisions		
	↳ Transfers within <i>personnel costs</i>	NO
	New subcontracts	YES (strongly advised)



ART. 6 - ELIGIBLE AND INELIGIBLE COSTS

- Chapter 1: General
- Chapter 2: Action
- Chapter 3: Grant**
- Chapter 4: Rights and obligations
- Chapter 5: Division of roles
- Chapter 6: Rejection, reduction....
- Chapter 7: Final provisions

FP7: Financial guidelines

NEW in H2020: all financial information and rules are in the Grant Agreement

For preparing your financial report, you can find all information about eligible and ineligible costs in **Art. 6 of the G.A.**

The budget categories are listed in Article 6.2

ARTICLE 6 — ELIGIBLE AND INELIGIBLE COSTS.....	15
6.1 General conditions for costs to be eligible.....	15
6.2 Specific conditions for direct costs to be eligible.....	16
6.3 Conditions for costs of linked third parties to be eligible.....	22
6.4 Conditions for in-kind contributions provided by third parties free of charge to be eligible.....	22
6.5 Ineligible costs.....	22
6.6 Consequences of declaration of ineligible costs.....	23



ART. 6 - ELIGIBLE AND INELIGIBLE COSTS

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Grant Agreement number: 820419 — Qombs — H2020-FETFLAG-2018-2020/H2020-FETFLAG-2018-03

ESTIMATED BUDGET FOR THE ACTION

Associated with document Ref. Ares(2018)4200111 - 10/08/2018

Estimated eligible ¹ costs (per budget category)									EU contribution			Additional information				
A. Direct personnel costs				B. Direct costs of subcontracting		[C. Direct costs of fin. support]	D. Other direct costs		E. Indirect costs ²	Total costs	Reimbursement rate %	Maximum EU contribution ³	Maximum grant amount ⁴	Information for indirect costs	Information for auditors	Other information:
A.1 Employees (or equivalent)		A.4 SME owners without salary				D.1 Travel										
A.2 Natural persons under direct contract		A.5 Beneficiaries that are natural persons without salary				D.2 Equipment		D.5 Costs of internally invoiced goods and services								
A.3 Seconded persons						D.3 Other goods and services										
[A.6 Personnel for providing access to research infrastructure]						[D.4 Costs of large research infrastructure]										
Form of costs ⁶	Actual		Unit ⁷		Actual		Actual		Flat-rate ¹⁰							
	a	Total b	No hours	Total c	d	[e]	f	Total g	25%	h = 0,25 x (a + b + c + f + g + [f1] + [f2]) ^{10,n}	j = a + b + c + d + [e] + f + g + h + [f1] + [f2]	k	l	m	n	Yes/No

A. Direct personnel costs

- A.1 Employees (or equivalent)
- A.2 Natural persons under direct contract
- A.3 Seconded persons
- [A.6 Personnel for providing access to research infrastructure]

B. Direct costs of subcontracting

- D. Other direct costs
- D.1 Travel
- D.2 Equipment
- D.3 Other goods and services

E. Indirect costs



ART. 6 - ELIGIBLE AND INELIGIBLE COSTS /TIME RECORDING

- Chapter 1: General
- Chapter 2: Action
- Chapter 3: Grant
- Chapter 4: Rights and obligations
- Chapter 5: Division of roles
- Chapter 6: Rejection, reduction....
- Chapter 7: Final provisions

NEW:

1. For persons working exclusively for the action (under direct contract), no time recording is required.

In such cases, the participant shall sign a declaration confirming that the person concerned has worked exclusively for the action.

Version 1.1 – December 2014

Declaration on a person working exclusively on a H2020 action

Action		
Title of the action (acronym)		Grant Agreement number
Beneficiary's/linked third party's name		
Reporting period covered by this declaration ¹		
Reporting period number	from (date)	to (date)

This document certifies that² has worked for the beneficiary/linked third party exclusively on the above-mentioned H2020 action during (choose one below):

- the whole reporting period
- from³ until⁴
(This period must cover at least one full natural month)⁵

Short description of the activities carried out during the period covered by this declaration	
Reference (e.g. work package)	Activities

SIGNATURES

For the beneficiary/linked third party (supervisor) Name: Date: Signature:	For the person working exclusively on the action Date: Signature:
-------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------

¹ Only one declaration can be made per reporting period for each person working in the action.
² Insert name of the person.
³ Insert date.
⁴ Insert date.
⁵ The person must keep timesheets for any hours worked for the action outside the period indicated herein.



ART. 6 - ELIGIBLE AND INELIGIBLE COSTS /TIME RECORDING

- Chapter 1: General
- Chapter 2: Action
- Chapter 3: Grant
- Chapter 4: Rights and obligations
- Chapter 5: Division of roles
- Chapter 6: Rejection, reduction....
- Chapter 7: Final provisions

NEW:

1. For persons **who do NOT work** exclusively for the action, the beneficiaries must show the actual hours worked, with TIME-SHEETS either on paper or in a computer-based time recording system.

TIME RECORDING FOR A HORIZON 2020 ACTION		Month:	Year:																														
Title of the action (acronym):		Grant Agreement No:																															
Beneficiary's / linked third party's name:																																	
Name of the person working on the action:		Type of personnel <small>(see Art. 6.2.A Grant Agreement)</small>																															
DAY	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total	
Reference <small>e.g. work package</small>																																	
Total Hours																																	
Short description of the activities carried out in the month:																																	
Signed (name of the person working for the action):																Signed (name of the supervisor):																	
Date:																Date:																	
Signature:																Signature:																	



ART. 20 – REPORTING – PAYMENTS REQUESTS

REPORTING PERIODS:

- **RP1**: from month 1 to month 18
1/10/2018 – 31/03/2020 (18 months)
- **RP2**: from month 19 to month 36
1/04/2020 – 30/09/2021 (18 months)

....within 60 days of the end of the reporting period

Where? SYGMA (ECAS):

Continuous Reporting: available from the beginning of a project
Periodic Reporting: available at the end of a reporting period - April 1st, 2020

Chapter 1: General
Chapter 2: Action
Chapter 3: Grant
Chapter 4: Rights and obligations
Chapter 5: Division of roles
Chapter 6: Rejection, reduction....
Chapter 7: Final provisions



CONSORTIUM AGREEMENT – the DESCA MODEL

It sets internal arrangements between beneficiaries on

- Responsibilities and Liability/Indemnification > Section 4, Section 5
- Organisation > Section 6
- Distribution of EU funding > Section 7
- Additional rules on rights and obligations related to background and results > Section 8, Section 9
- Confidentiality > Section 10
- Settlement of internal disputes > Section 11.8

The CA must not contain any provision contrary to the Agreement



CONSORTIUM AGREEMENT – what to pay attention to (1)

Section 4.1 Responsibility of the Party

«Each Party has to notify promptly, any significant information, fact, problem or delay likely to affect the Project»

Section 5.2 Limitation of contractual liability

If a damage is caused by a wilful act (or in certain cases by a gross negligence) the liability CAN'T BE LIMITED

If a damage is caused by a breach of confidentiality (Section 10) the liability could not be LIMITED



CONSORTIUM AGREEMENT – what to pay attention to (2)

Section 6.2.3 - 6.2.4 Voting rules and quorum / Veto rights

- Each Consortium Body shall not deliberate and decide validly unless two-thirds (2/3) of its Members are present or represented (quorum)
- Decisions shall be taken by a majority of two-thirds (2/3) of the votes cast
- A Consortium Body is entitled to decide even if the quorum is not reached when for the third time the quorum is not reached
- When the decision is foreseen on the original agenda, a Member may veto such a decision during the meeting only.



CONSORTIUM AGREEMENT – what to pay attention to (3)

Section 8.4.2 Dissemination of own Results

- Any planned publication must be announced at least 30 days before the publication
- Any objection shall be made within 21 calendar days after receipt of the notice
- An objection must be justified and must include a precise request of modifications
- If an objection has been raised the Party proposing the publication has to take appropriate measures



CONSORTIUM AGREEMENT – what to pay attention to (4)

Section 10 Non-disclosure of information

- All confidential information must be marked as CONFIDENTIAL
- A confidential information disclosed orally must be designated in writing as CONFIDENTIAL within 15 calendar days from oral disclosure
- The Recipients are responsible for the fulfilment of the obligations set in this section on the part of their employees or other persons working in the project



DURATION AND STARTING DATE OF THE ACTION (art. 3 of the GA)

Project Summary

Project 820419 (Qombs)

Responsible Unit:	CNECT/C/02
Call:	H2020-FETFLAG-2018-2020 submitted for H2020-FETFLAG-2018-03 / 20 Feb 2018
Topic:	FETFLAG-03-2018 - FET Flagship on Quantum Technologies
Type of Action:	RIA
Duration:	36
Submission Stage:	

Important Dates:

Entry into force of the Grant:	04/09/2018
Project Start Date:	01/10/2018
Project End Date:	30/09/2021

The duration will be 36 months

Start date: October 1, 2018

End date: September 30, 2021



WHERE WE ARE ABOUT...

CONSORTIUM AGREEMENT

The final version has been sent to all partners

Parties have to sign and send the signature page to the coordinator

The coordinator will provide each Party with a full copy of the Consortium Agreement



WHERE WE ARE ABOUT...

PRE-FINANCING PAYMENTS

- Total budget: 9,335,635.00 €
- Pre-financing 7,468,508.00 € (80% of the total)
- Guarantee Fund 466,781.75 € (5% of the total)

CNR	1.898.792,81
ETH Zürich	1.091.096,25
TUM	203.712,19
(UPDiderot)	724.921,88
ASI	300.000,00
ALPES LASERS	899.296,88
PPQSENSE	262.500,00
IRSWEEP	722.100,00
MENLO SYSTEMS	596.437,50
THALES	302.868,75
payed by the EC	7.001.726,25



WHERE WE ARE ABOUT...

GRANT AGREEMENT

- Coordinator signed on August 10, 2018
- EC signed on September 4, 2018
- On September, 24 all partners had signed the GA

PRE-FINANCING PAYMENTS

- EC performed the payment on September 21, 2018
- CNR-INO notified to CNR to proceed with payments on November, 16 2018
- CNR is paying in these days



WHERE WE ARE ABOUT.....

AMENDMENT

UP Diderot asked for

- a switch between UPDiderot / CNRS
- a new Linked Third Party > École Normale Supérieure (ENS)

If the Amendment will be approved:

CNRS: Beneficiary

UP Diderot and ENS: Linked Third Parties to CNRS

RESEARCH & INNOVATION
Participant Portal - Grant Management Services

Help

Francesca USALA

Launch new interaction with the EU +

MY PROJECT

HORIZON 2020

Call: H2020-FETFLAG-2018-03
Type of Action: RIA
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Number: 820419
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Contact: Dagmar FLOECK

Latest Legal Data
Active Processes
Document Library
Communication Centre
Archived Processes

H2020 ONLINE MANUAL

HOW TO

Consortium Requested Amendment
AMD-820419-1

08 Nov 2018

Launched Prepared Submitted Admissible Decision

Cancel amendment

Amendment preparation ⚠️

Consult Officer Lock for review

Process documents
Process communications
Process history

Continuous Reporting
820419 - Qombs

01 Oct 2018

Started Completed

Continuous reporting data

Process documents
Process communications
Process history

Proposal Management & Grant Preparation
820419 - Qombs

20 Feb 2018

Submitted Informed Invited Prepared Signed Paid

Process documents



WHERE WE ARE ABOUT...

AMENDMENT

- Informed the Project Officer
- Launched the Amendment (on November 8th, 2018)
- Prepared the Amendment in the Participant Portal Grant Management System (in progress)
- Consulted the Financial and Legal Officer
- Asked UP Diderot to modify Annex 1 and Annex 2



WHERE WE ARE ABOUT ... AMENDMENT

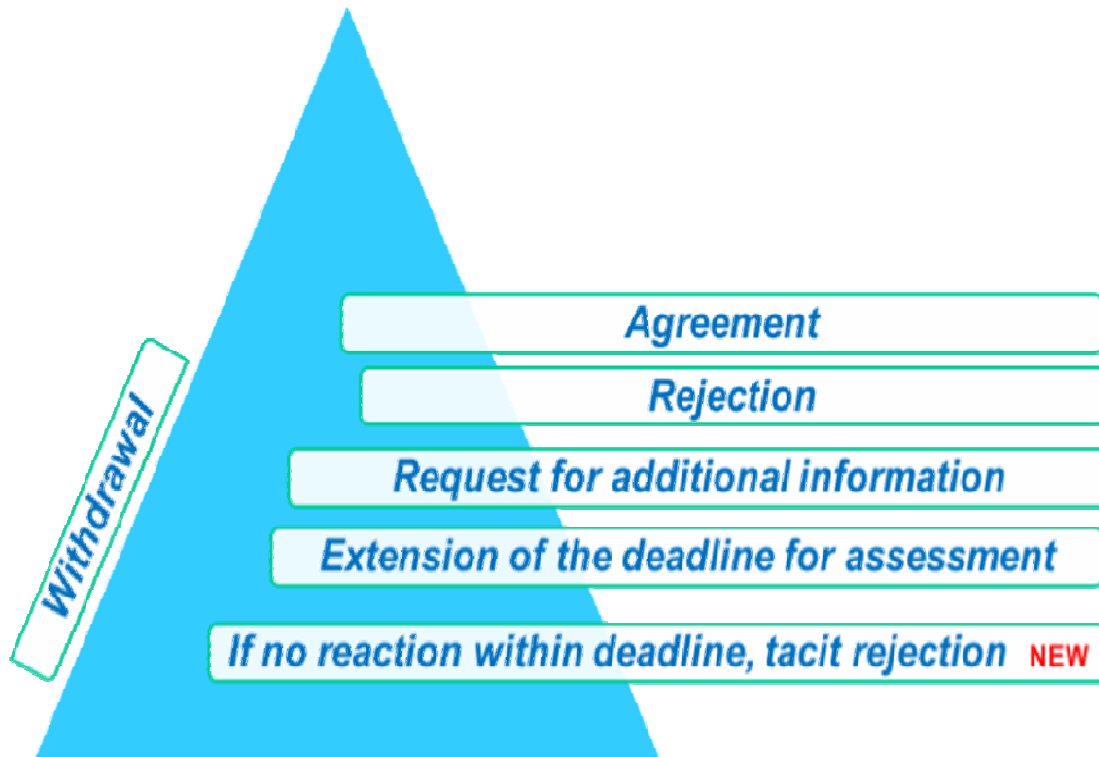
TO DO

- Review Annex 1 and Annex 2
- CNRS has to sign the Declaration of Honour and the Accession Form (Annex 3 to the GA)
- Finalise the Request of Amendment on the Participant Portal
- Signs & submits the Amendment to EC on on behalf of the beneficiaries

After submission, the EC has 45 days for “evaluation and validation”.



AMENDMENT – APPROVAL/REJECTION



There is no tacit approval of amendments

if there is no reaction within this deadline the request is considered to have been rejected



WHERE WE ARE ABOUT...AMENDMENT

If the Amendment will be approved the Amendment will be incorporated into the GA

- CNRS > Beneficiary
- UP Diderot and ENS > Linked Third Parties to CNRS
- Entry into force of the Amendment: EC acceptance date
- Taking effect: December, 1° 2018

An Amendment to the CA is needed



THANK YOU!

Pasqualina Pipino - Pasqualina.pipino@ino.cnr.it
Donata Fornaciari - Donata.Fornaciari@ino.cnr.it



Qombs kick-off meeting, Florence, 2018 November 29th - 30th