



Appeal procedure

EIT Urban Mobility - Mobility for more liveable urban spaces

EIT Urban Mobility

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1. Appeal procedure

The rules set in this document are aimed at providing the applicants with a transparent appeal procedure concerning the decision made by the EIT Urban Mobility bodies during the eligibility and admissibility check and the evaluation process.

1.1. Appeal requirements and conditions

1. The Lead Applicant is the only one entitled to file an appeal.
2. The right to appeal against a decision regarding the proposal selection applies to the Lead Applicant whose proposal was found not eligible during the admissibility and eligibility check or was rejected after the evaluation process.
3. The appeal is to be lodged against the communication issued by the EIT Urban Mobility Project Management Office (PMO) based on the decision taken by the Selection Committee.
4. The appeal can be lodged against the outcomes of the admissibility and eligibility check or the evaluation upon the following grounds **only**:
 - a. Process errors by EIT Urban Mobility staff
 - b. Technical problems beyond the applicant's control
 - c. Obvious human/mechanical errors by EIT Urban Mobility staff
 - d. Factual errors during the evaluation process

Appeals cannot be made based on other grounds than those indicated above.

In case an appeal is accepted according to the ground *d. Factual errors during the evaluation process* mentioned above, it is possible that all, or part of the proposal, is re-evaluated by a new evaluation panel. Unless there is clear evidence for appealing under the grounds provided above, there will be no follow-up or re-evaluation.

5. The Lead Applicant must formally submit the appeal, including all the mandatory information required below, by email to pmo@eiturbanmobility.eu within 5 calendar days after receiving the official notification of the outcomes. **Late appeals will not be considered.**

The appeal must contain:

- a. Name and address of the organisation of the Lead Applicant;
- b. Name, position and contact details of the appellant;
- c. Reference number and acronym of the proposal that is the subject of the appeal;
- d. Clear reasons for the appeal, including all elements which are being appealed and/or failures in adherence with procedures limited to those criteria mentioned in point 4.

- e. Any supporting documents. The Lead Applicant must provide relevant documentation in support of its appeal.

The relevant documentation included in the appeal shall be provided for the sole purpose of supporting it. It will not alter the quality or content of the evaluated proposal.

6. The PMO confirms the receipt of the appeal in writing to the Lead Applicant .
7. An appeal will be rejected if:
 - a. It is submitted after the set deadline;
 - b. It is based on other grounds than those indicated in point 4;
 - c. Any of the informations requested at point 5 is missing.
8. In case the appeal is rejected under provisions set out in point 7, the PMO conveys this information within 5 calendar days (from reception of the appeal) to the Lead Applicant and informs the responsible Thematic Area.

1.2. Internal appeal evaluation process

The PMO receives in time the appeal of an ineligible or rejected proposal from the Lead Applicant and according to the appeal requirements and conditions defined above.

The PMO examines the appeal and prepares its technical examination regarding the merit of the appeal.

An Appeal Panel is established in order to evaluate all the available information provided by the Lead Applicant in the appeal and the technical examination prepared by the PMO.

The role of the Appeal Panel is to ensure a coherent interpretation of the requests and equal treatment of applicants. The Appeal Panel itself, however, does not re-evaluate the proposal. In the light of its review, **the Appeal Panel recommends a course of action to be followed.**

The Appeal Panel comprises at least 3 members, to be appointed among the following bodies:

- a. Supervisory Board (independent members only)
- b. Ancillary Board Legal and Compliance
- c. Management Team
- d. A Legal Counsel in a legal advisory capacity only

The members of the Appeal Panel (and their respective deputies) are appointed by the CEO of EIT Urban Mobility at the beginning of every year.

Impartiality of members of the Appeal Panel towards the case under review must be ensured. If this cannot be provided, the distinct member shall refrain from the distinct case's review and be replaced by another impartial member.

The PMO acts as the secretariat for the Appeal Panel and provides any assistance necessary for the review of the appeal.

The PMO shall provide the members of the Appeal Panel no later than 5 calendar days after the receipt of the appeal with a copy of:

- a. The appeal and all the supporting documents provided by the Lead Applicant
- b. The technical examination prepared by the PMO
- c. The original proposal and all supporting documents that were taken into consideration by the relevant bodies during the proposal admissibility and eligibility check and the evaluation process
- d. Any other document requested by the members of the Appeal Panel relevant to the appeal.

The Appeal Panel will have 5 calendar days to provide a binding decision after the receipt of the documentation provided by the PMO, through a written justification with explicit reference to the grounds mentioned in point 4.

The decision on the appeal is taken by the Appeal Panel by consensus.

The decision of the Appeal Panel is communicated by the PMO in writing to the Lead Applicant within 5 calendar days from the receipt of the Appeal Panel decision.

The appeal procedure, from the receipt of the appeal to the communication of the Appeal Panel's decision to the Lead Applicant, should be resolved within a maximum of 20 calendar days.

The decision of the Appeal Panel is final, binding to all parties and not subject to any further appeal proceedings within the EIT Urban Mobility based on the same grounds.