Annex 7

to the Project Application Selection Regulation

**Expert Opinion Completion Guidelines and Form**

Evaluation procedure:

Evaluation "Yes" or "No" in each Criteria. Evaluation shall be made on the basis of data indicated in project application and its annexes. If significant discrepancies are detected, evaluation "No" should be made.

Justification for Evaluation:

Expert shall make evaluation on the basis or information available in project application (form of project application, its annexes, additional submission documents), public space.

Application of Evaluation:

Expert evaluation may be taken into account when deciding on compliance of a project application with the criteria below:

Single Criterion No.1 “Project applicant complies with the Regulation of the Cabinet **No.293**[[1]](#footnote-2) requirements for a project applicant [[2]](#footnote-3).”;

1. Specific compliance Criterion No.7 “Investments provided in a project application comply with technology readiness level No.8”.
2. Specific compliance Criterion No.8 “At least 20% of eligible costs provided in a project application are justified with research and development (hereinafter- R&D) works.”;

Facts detected established by the Experts may be taken into consideration also in evaluation of other criteria (if applicable).

**Expert Opinion Form (verification form)**

**for making evaluation of project experimental technology**

Regulation or Implementation of Activity 1.2.1.4 "Support for Putting of New Products into Production" of the Specific Support Objective 1.2.1 "To increase investments of private sector in R&D" of the Operation Programme "Growth and Employment"

within the framework of the second project application selection round

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| **Project application identification number:** |  |
| **Applicant of Project Application:** |  |
| **Project name:** |  |

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| --- | --- | --- | --- |
| **No.** | **Criterion to be verified** | **Evaluation ("Yes" or "No")** | **Justification for Evaluation**  **In this part Expert shall explain why particular evaluation has been made. Information should be clear and explicit, justified with references to sources of information, comparative examples).** |
| 1. | R&D activities of project applicant (or related person) indicated in a project application shall be in compliance with defining hypothetical requirements for experimental technology and its components or equipment |  | *Expert shall verify whether:*   1. *Implemented R&D activities indicated in a project application comply with and relate to defining requirements for experimental technology proposed in a project;* 2. *Requirements defined for implemented R&D activities are sufficient and appropriate for development of technology (equipment or production line) proposed in a project.* 3. *Results of R&D activities implemented within the project will be protected by document supporting intellectual property rights limiting implementation results of a project. Expert shall indicate information on existing or expected protection type of intellectual property rights on technology proposed in a project;* 4. *Experimental technology provided in a project is not available in the market,i.e. producers of equipment do not offer production of equipment without carrying out research and development activities in a company. If an expert finds that experimental technology is already available in the market, available information about this equipment shall be indicated that is traceable by third party.*   *NB!! A project applicant should provide intellectual property rights at least to those unique elements of experimental technology that are produced for needs of particular project: until end of implementation of a project it shall provide supporting documents regarding semi-conductor product topography or patent application or positive patent search carried out. Semi-conductor product topography or patent shall be registered in the name of project submitted during follow-up period.*  *Other document supporting intellectual property rights may be evaluated only provided that it ensures the same level of protection of the intellectual property rights as a patent or semi-conductor product topography.*  *Intellectual property rights should be protected at least in the EEA countries.*  *According to the above documents it is necessary to ensure that specified topographies or patents of semiconductor products provide protection for technology provided in a project and are directly related to planned costs of a project and achievement of objective of a project. If specified semi-conductor product topography or patent does not relate to implementation of a project then it shall not be taken into consideration.*  *Evaluation"Yes" shall be made if:*   1. *Implemented R&D activities comply with and relate to defining requirements for experimental technology provided in a project;* 2. *Requirements defined for implemented R&D activities are sufficient and appropriate for development of technology (equipment or production line) provided in a project;* 3. *They will be protected by relevant document supporting ownership of intangible assets;* 4. *Experimental technology is not available in the market or maximum 80% of costs of experimental technology consist of components or equipment chosen by applicant from those already existing in the market.* |
| 2. | The project application shall confirm that during project implementation or during project monitoring period, a project applicant will create at least one new product and put it into production. |  | *Expert shall verify whether:*   1. *A project application justifies that during project implementation or during project monitoring period a project applicant will create at least one new product and put it into production. Expert shall indicate whether new product provided in a project is new at a company level (i.e. one already existing in the market) or product is new at least at the EEA level);*   *NB!!! A new product shall be goods and services that are brand new or have improved functional characteristics and intended use.*   1. *Has information on why new technology/equipment is required for production of new product and what sufficient/minor changes in production process does it make in comparison with previous versions of similar equipment that are in market and have already been used in production been provided;*   *NB!! For example, if experimental technology provided in a project meets the TRL9 level it demonstrates that the new product has already been put into production.*   1. *Whether long before/recently a product/technology invented is put into production, whether a project applicant is an author of invention, whether there is clear reasoning why this technology or new product could not be put into production faster;*   *NB!!! Positive evaluation shall be made, e.g. if a company (parent company) has its own research and development department, it puts into production recently (during last 1-3 years) invented product/technology, has clear further sales of product and development.*   1. *A project applicant has new market opportunities thanks to established and described innovation as a result of R&D works in a project application;* 2. *A product and / or service provided in a project is not yet available in the market;* 3. *Benefit obtained from putting into production experimental technology is proven and it has financial value (evidence of obtained financial benefit is available in a business plan, financial forecast).*   *Evaluation "Yes" shall be made if:*   1. *Within a project, assurance is obtained that a new product will be introduced as a result of a project;* 2. *Information on why new technology/equipment is required for production of new product and what sufficient/minor changes in production process does it make in comparison with previous versions of similar equipment that are in market and have already been used in production is provided;* 3. *There is clear reasoning why this technology and new product could not be put into production faster;* 4. *As a result of implementation of a project, new plant is developed, new business place, business activity is diversified with products that have not previously been produced or sufficient changes have been introduced in overall production process of business activity;* 5. *A product and / or service planned is not yet available in the market;* 6. *Evidence of obtained financial benefit is available in business plan and financial forecast.* |
| 3. | Investments provided in a project application comply with technology readiness level No.8 and at least 20% of eligible costs provided in a project application are R&D works. |  | *Expert shall evaluate the following:*   1. *Which technology readiness level (according to the International Standard ISO 16290:2013) technologies (equipment or integrated production line) provided in a project meet by explaining, justifying its decision.*   *NB!!! Duringimplementation of a project it carries out activities meeting the technology readiness level No. 4, 5, 6, 7 or 8 (according to the International Standard ISO 16290: 2013).*   1. *Whether after end of a project investments provided in a project application will meet the technology readiness level No.8 (TRL8), however cannot exceed this level (cannot meet the technology readiness level No.9 (TRL9)). Allinvestments provided in a project application shall be evaluated as a whole (technology by using which products will be later produced - experimental technology).*   *NB!!! Experimental technology is equipment or integrated production line consisting of several components or equipment.*  *Within the framework of one technological scheme, several independent production lines can be developed if it is required for provision of full production cycle.*  *In accordance withterminology used in the International Standard ISO 16290: 2013, all investments provided in a project application shall as a whole comply with the term "element" used in Article 2.4 of the Standard.*  *By taking into consideration that investments provided in a project applicationas a whole will normally be equipment or integrated production line consisting of several equipment or componentsthen separate equipment or components of the production line shall comply with the term "sub-element" used in the last but one paragraph of Article 3.1 of the International Standard ISO 16290:2013. As within one element sub-elements may have different technology readiness levels then according tothe last but one paragraph of Article 3.1[[3]](#footnote-4), such technology readiness level shall be granted to the whole elements as have sub-element with the lowest technology readiness level.Therefore, if elements consist of two sub-elements - one has TRL8 but the other has TRL9 then the element as whole shall be evaluated as complying with TRL8.*  *In eligible costs project applicant shall include all experimental technology not only sub-elements complying with TRL8.*  *Therefore, in a project application and Annex 3 "Summary of Project Budget" to the project application there should be distinguished and justified which sub-elements comply with TRL8.*  *If experimental technology provided in a project contains of at least 20% components and equipment complying with the lowest TRL (for example, 8), then the whole experimental technology provided in a project shall be deemed to be complying with the lowest TRL (for example, 8).*  *Therefore, a business plan shall be created on the basis of theoretical calculations and assumptions of which evidence shall be provided by producer or installer of components or equipment of experimental technology*  *(together with a project application or as soon as a manufacturer / installer is known) regarding that parameters mentioned in Subarticle 30.3 and 30.6 of the Regulation of the Cabinet on implementation of activity and at least one of parameters mentioned in Subarticles 30.1, 30.2, 30.4, 30.5 or 30.7 have not been verified in actual production environment, when conducting business activity, in lasting, intensive operational conditions:*  *1. There is no hypotheses verified in production practice on which technical specification of components or equipment of experimental technology are based;*  *2. No special equipment and production structures necessary for operation of experimental technology components or equipment have been prepared;*  *3. No instructions or manuals for the use of components or equipment of experimental technology have been prepared;*   1. *Whether activities specified in a project application have appropriate and sufficient resources in order to achieve objective and results of a project;*   *Evaluation "Yes" shall be made if:*   1. *Experimental technology and duringimplementation of its project will meet technology readiness level No. 4, 5, 6, 7 or 8 (according to the International Standard ISO 16290: 2013);*   *As a result of project activities, the technology readiness level will be No.8 (in accordance with the International Standard ISO 16290: 2013), but not exceeding this level, and if experimental technology provided in a project contains at least 20% of components or equipment complying with the lowest TRL (e.g. 8), then all experimental technology proposed in a project shall be recognised as complying with the lowest TRL (e.g. 8);*   1. *For activities set in a project application appropriate and sufficient resources are available in order to achieve objective and results of a project.* |

Total expert evaluation of compliance of a project application:

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| Evaluation(Please put "X" for overall compliance of a project against appropriate evaluation) | Evaluation | Explanation of Evaluation  "*Yes "- if in criterion No.1, No.2 and No.3 there isevaluation "Yes" or in these criteria discrepancies established by expert are insufficient, technical inaccuracy [[4]](#footnote-5).*  *"No" - if at least in one criterion there is evaluation "No" and discrepancies established by expert are sufficient, cannot be clarified or clarification may sufficiently affecta project application in fact* |
|  | Yes | *An expert shall provide a brief summary of justification for the evaluation* |
|  | No | *An expert shall provide a brief summary of justification for the evaluation* |

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*(signature) name, surname of Expert*

1. Regulation of the Cabinet No.293 of May 10, 2016293 "Regulation or Implementation of Activity 1.2.1.4 "Support for Putting of New Products into Production" of the Specific Support Objective 1.2.1 "To increase investments of private sector in R&D" of the Operation Programme "Growth and Employment"" (hereinafter - the Regulation of the Cabinet No.293). [↑](#footnote-ref-2)
2. Within the framework of the criterion, the compliance of a project applicant with the specified range of beneficiaries shall be verified. [↑](#footnote-ref-3)
3. The last but one paragraph of Article 3.1 of the International Standard ISO 16290: 2013, explains the following: "When the element is an integral system or subsystem, it can consist of sub-elements, each involving some specific technology. In that case, the TRL of the element cannot be greater than that of the individual sub-element.” [↑](#footnote-ref-4)
4. In Annotation of the Law On Management of European UnionStructural Funds and the Cohesion Fund for the 2014-2020 Programming Period (data basis of draft laws of Saeima. Draft Law No: 1169 / page 11 "Management of European Union Structural Funds and the Cohesion Fund for the 2014-2020 Programming Period ". Available online: http://titania.saeima.lv/LIVS11/SaeimaLIVS11.nsf/webSasaiste? Open View & restrict to category = 1169/Lp11) it is explained in which case a project application shall be deemed to be adjustment (and accordingly it arises from explanations in which cases a project application shall be indicated as an application in which amendments made would affect it in fact) : "Cooperation institution may decide on the approval of a project application, provided that a project applicant has to implement activities specified by the cooperation institution in order to fully comply with a project application evaluation criteria and a project could be properly implemented; this applies to cases where minor inaccuracies were identified in the project application and it would be disproportionate to reject a project application; a project application would change in fact if it included additional actions to be supported and additional costs or, on the contrary, deleted if a submitted project application did not completely meet the specific support objective; for example, planned investments in educational infrastructure,providing improvement of natural science cabinets in a project application, however, when specifying a project, most of funding is directed towards insulation of a building; while adjustment that do not change in the fact are, for example, adjustment of arithmetical errors, tax payments, submission of certain content documents. " [↑](#footnote-ref-5)