

# Construction Projects in the ESI Funds and EEA Grants: Efficient Monitoring, Verification and Audit

 02 - 04 October 2024 | Lisbon

Fee: 1900 EUR (excl. VAT)

VAT will be added when applicable

Payment method: Invoice

## DESCRIPTION

How to use effectively European Structural and Investment Funds and Recovery and Resilience Facility to finance construction projects? How to ensure proper selection process and state aid rules compliance in construction projects? How to perform efficient monitoring, management verifications and audit of construction projects? Answering these questions is the key point of our advanced course on management, control and audit of construction projects, financed by the ESIF and RRF in the new programming period 2021-2027.

Workshop participants will gain practical knowledge and know-how on **the selection, management, control and audit of construction projects**. We will analyse the key problems and challenges in the management and implementation of construction projects. The participants will also gain in depth understanding of how to perform state aid verifications. We will also discuss challenges in the **low emission transport sector** as well the **recent findings of the European Court of Auditors**. Moreover, participants will benefit from best practices of ensuring that the state aid rules are respected in relation to the construction projects.

The workshop offers unique combination of practical skills and knowhow, covering all essential stages of the construction projects: selection, management, verifications, monitoring and audit of construction projects, with plenty of **examples, case studies and discussion panels**, where the participants will be able to raise questions and analyse case studies. We believe learning happens best with practical knowledge application and discussion of realistic, complex cases and real examples.

## Who is the workshop for

- Representatives from Public Authorities in charge of the selection, management and realization, verification, monitoring and audit of construction projects;
- Managing Authorities;
- Certifying Authorities;
- Audit Authorities;
- Intermediate Bodies;
- Joint Secretariats and First level controllers;
- Public Bodies in charge of the management, control and audit of the construction projects, financed by the RRF;
- Final Beneficiaries/Public Bodies in charge of the management and realization of construction projects.

## PROGRAMME

### Wednesday 2 October 2024

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09.00

#### Welcome note by ESI FA

Introduction Round of the participants. Expectations of the participants

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09.15

#### Management, Control and Audit of Construction Projects

- Practical Toolbox: Part I
- Case Studies

**Mariela Sjekavica Klepo**, PhD expert in management and control of construction projects

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10.30

#### Coffee Break

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11.00

## Management, Control and Audit of Construction Projects

- Practical Toolbox: Part 2
- Case Studies

**Mariela Sjekavica Klepo** PhD, expert in management and control of construction projects

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12.30

Lunch

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13.30

## Management, Control and Audit of Construction Projects

- Practical Toolbox: Part 3
- Case Studies

**Mariela Sjekavica Klepo** PhD, expert in management and control of construction projects

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15.00

Practical exercise: Case studies

**Mariela Sjekavica Klepo** PhD, expert in management and control of construction projects

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16.00

End of the Official Programme Day I

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18.00

## Walking Tour in Lisbon

Walking Tour followed with a common get-together dinner in Lisbon

Thursday 3 October 2024

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State Aid Errors. How to avoid them in relation to construction projects? Managing Authority experiences and best practices from Poland

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### 09.00 State aid at the stage of projects selection and management verifications

- Introduction. State Aid compliance;
- Preparation of guidance for applicants. Available resources;
- Application forms – designing and filling in;
- State Aid management verifications;
- Examples of the most common issues;
- Questions and discussion.

**Roman Głuszczyk** PhD, legal expert, Managing Authority, Polish Governmental Administration, Warsaw (invited, tbc)

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### 10.30 Coffee break & networking

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### 11.00 State Aid and construction projects in specific areas. Part I

#### **Avoiding State Aid – the case of waste water infrastructure**

- Selection stage verifications;
- Implementation stage verifications.

#### **Application of SGEI rules – the case of waste management infrastructure**

- Selection stage verifications;

- Implementation stage verifications.

#### Questions and discussion

**Roman Gószczyk** PhD, legal expert, Managing Authority, Polish Governmental Administration, Warsaw  
(invited, tbc)

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12.30      Lunch

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13.30      Monitoring and control of construction projects by the Managing Authority – State Aid issues in low emission transport sector – experience and best practices from Poland. Part 2

- No economic activity – Landmark judgements (Leipzig-Halle, Eventech);
- No advantage;
- No effect on trade between Member States and no distortion of competition;
- State Aid on the level of the owner of the infrastructure;
- State Aid on the level of the operator of the infrastructure;
- State Aid on the level of the end users of the infrastructure;
- Application of SGEI rules to transport projects;
- Notion of public service;
- Public service compensation and Altmark criteria;
- Rules applicable to the Recovery and Resilience Facility;
- Questions and discussion.

**Stefan Akira Jarecki** PhD DSc, Expert on State Aid and public transport regulation (invited, tbc)

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15.00      Monitoring and control of construction projects by the Managing Authority – State Aid issues in low emission transport sector – findings for audits of the European Court of Auditors – experience and best practices from Poland. Part 3

- Examples of co-financed projects;
- Dedicated or non-dedicated infrastructure – example of port and rail infrastructure;
- Lack of genuine SGEI;
- Incorrect operator selection procedure (fulfilment of public procurement rules);
- Incorrect assessment of influence of the measure on competition and trade between Member States

(local infrastructure);

- Incorrect qualification of the infrastructure as non-economic;
  - Lack of equal and non-discriminatory access to the cofinanced infrastructure – examples of intermodal infrastructure;
  - Lack of the incentive effect – consequences of the war in Ukraine
- procedural infringements;
- Questions and discussion.

**Stefan Akira Jarecki** PhD DSc, Expert on State Aid and public transport regulation (invited, tbc)

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16.00

End of the Day two

Friday 4 October 2024

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09.00

Audit of construction projects

- Specific risks related to construction projects;
- Audit scope and methodology;
- Why we need adequate cost benefit analysis;
- How to use effectively ESI funds and RRF to finance construction projects;
- Detection of fraud risks in construction projects;
- Building of effective systems for management and control of construction projects;
- Risk based management verifications. Focus on the risky areas;
- Data analytics in the control and audit of construction projects;
- Best practices for prevention, detection and combating irregularities and fraud in construction projects, financed by the ESIF and RRF;
- How to decrease the financial corrections in the construction projects;
- Questions and discussion.

**Radoslav Nedyalkov**, CGAP, audit expert

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10.30

Coffee break & networking

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11.00

## Common errors, findings and cases of the European Court of Justice

- Common gaps in the cost benefit analysis;
- Role and importance of the on the spot checks;
- Common errors, findings and irregularities;
- European Court of Justice cases related to infringements of public procurement legislation and imposed financial corrections of works contracts;
- Questions and discussion.

**Radoslav Nedyalkov**, CGAP, audit expert

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12.30

## Lunch

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13.30

## Practical exercise: Case studies

**Radoslav Nedyalkov**, CGAP, audit expert

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15.00

## Final conclusions from the workshop, questions and discussion

**Radoslav Nedyalkov**, CGAP, audit expert

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15.30

## End of the Academy

Handing out of the Certificates

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## EXPERTS

- **Stefan Akira Jarecki, PhD**  
Expert on State Aid and public transport regulation
  - **Roman Gąsczyk**  
Legal expert
  - **Radoslav Nedyalkov**  
Expert on Audit of ESI Funds
  - **José Eduardo Baptista**  
Event Manager
  - **Mariela Sjekavica Klepo, PhD**  
Expert on construction projects
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## VENUE

### 4\* **Hotel Açores Lisboa**

Av. Columbano Bordalo Pinheiro 3, 1070-060 Lisboa, Portugal

<https://www.bensaude.pt/hotelacoreslisboa/en/>

### **Next to the training materials the training fee is covering:**

- Catering during the training (3 coffee breaks and a lunch every day);
- Walking Tour in Lisbon in the evening of the first day of the training;
- Get-together dinner in a restaurant in Lisbon in the evening of the first day.