



Ministerstwo Środowiska
Departament Programu Operacyjnego
Infrastruktura i Środowisko

ul. Wawelska 52/54
00-922 Warszawa
centrala (022) 57 92 900
www.mos.gov.pl

tel. (022) 57 92 823
faks (022) 57 92 629
info.fundusze@mos.gov.pl

DPOISfs 720-6 - 103/08/abl 1415

Warszawa, 4 grudnia 2008 r.

Przebieg
Wzrost

Następnie
Aktualność

p. J. Sora
Do wiadomości *procedurki UFP*

4988

Wg rozdzielnika

[Signature] 2008-12-11

Szanowni Państwo,

W załączeniu przekazuję do wiadomości oraz przekazania wszystkim zainteresowanym pismo Komisji Europejskiej, w którym potwierdza, iż warunkowa akceptacja projektów, dla których nie została zakończona procedura OOS, będzie możliwa nie tylko dla projektów realizowanych w ramach formuły „zaprojektuj i wybuduj”, ale także w przypadku innego typu kontraktów.

I parzianka
Zastępca Dyrektora
Departamentu Programu Operacyjnego
Infrastruktura i Środowisko
Joanna Księżka
Joanna Księżka



INFRASTRUKTURA
I ŚRODOWISKO
NARODOWA STRATEGIA SPÓJNOŚCI

UNIA
EUROPEJSKA





EUROPEAN COMMISSION

DIRECTORATE-GENERAL
REGIONAL POLICY
Director General

Brussels,

DG REGIO H 1/MT/sp D(2008) 880698

29.10.2008*010483

Subject: The construction contracts and environmental impact assessment

Ref: Your letter dated 7 October 2008 – DPI-078-13-SW/08

Dear Mr Mikuła,

With reference to the proposal presented in the above mentioned letter, I would like to inform you that after having considered your arguments, the Commission can agree to apply the modus operandi as outlined for the design and build contracts in my letter dated 30 July 2008 also for the Construction contracts (The Red Book).

I would like to remind you that, also in this case, the project promoter will have to demonstrate that the provisions of the Environmental Impact Assessment (EIA) Directive have been respected for the project. The Commission can consider approval of co-financing of a major project if full evidence is submitted to the Commission that the EIA completed with the decision on environmental conditions is fully compliant with the EC Directives. In cases where the supplementary EIA procedure is necessary, the compliance of this supplementary EIA procedure with the EC Directives will be checked and monitored by the Polish authorities prior to payments for the project.

Similarly to the design and build contracts the managing authority will be asked to include appropriate provisions concerning the further stages of the Polish multistage development consent procedure in the financing agreements signed with the beneficiaries and inform the Commission on the implementation of these provisions.

Should the Commission detect any non-compliance with the EC Directives for the projects covered by this modus operandi, appropriate procedures such as suspension of payments or financial corrections may be initiated by the Commission.

for the Director General absent,
Michele Pasca-Raymondo
Deputy Director General

Yours sincerely,

Dirk Ahner

Copy Mr G. Kremlis, Head of Unit ENV D3, DG REGIO H Archives

Mr Janusz Mikuła
Undersecretary of State
Ministry of Regional Development
ul. Wspólna 2/4
00-926 Warsaw
Poland