

Invitation for tendering number: T- 156/18

Subject of purchase:

LEASE OF 25 GAS RTCs FOR THE PERIOD OF ONE YEAR MINIMUM

Pancevo, September 2018.







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I INVITATION FOR TENDERING

1. Purchase subject

"HIP Petrohemija" a.d. Pančevo, Spoljnostarčevačka Street 82, 26000 Pančevo ("Orderer") has initiated the procedure for purchase of:

LEASE OF 25 GAS RTCs FOR THE PERIOD OF ONE YEAR MINIMUM

Regarding that, the Orderer invites tenderers to submit written tender in accordance with the invitation for tendering.

Tender has to be completely prepared in accordance with the invitation for tender submission. The Orderer keeps the right to cancel the election, without the obligation to compensate any harm to tenderers.

2. Tender Submission

The Tenderer has to submit tender in written form.

Tender is created in a way that the Tenderer writes down the required data in the form that is an integral part of this Invitation for tendering. It is preferable that all the documents submitted in the tender are wrapped with tape as a whole and sealed, so that individual sheets i.e. enclosures cannot be put into, removed or replaced afterwards, and in order not to visibly damage sheets or stamp.

Tender has to be created on a taken form that is an integral part of Invitation for tendering and which can be found in it. Tender has to be clear and unambiguous, typed or written in indelible ink, and also verified with the stamp and signature of an authorised entity of the Tenderer.

Tender is considered timely when it reaches the Orderer not later than:

1st of October 2018, by 12 o'clock in the afternoon in local time.

The Tenderer submits tender in person or by mail. If the Tenderer submits tender by mail, it has to make sure that it gets to the Orderer by the specified date and time.

Tenders are submitted in a sealed envelope, to the address:

«HIP PETROHEMIJA» a.d. Pancevo Cabinet of General Director Spoljnostarcevacka Street 82 26000 Pancevo, Republic of Serbia

The envelope containing tender must have the label:

"Tender number: T-156/18 - LEASE OF 25 GAS RTCs FOR THE PERIOD OF ONE YEAR MINIMUM - DO NOT OPEN – IT CAN BE OPENED ONLY IN THE PRESENCE OF THE COMMISSION".

On the back side of the envelope, the exact name, address and the phone of the tenderer have to be written.

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Tender of a Tenderer which is not submitted to the Orderer by the specified date and time is considered untimely. Untimely tenders will be dismissed and not taken into consideration, and, after the procedure of tender opening, they will be returned, unsealed, to the tenderer, with a note that they have been untimely submitted.

3. Opening of tenders

Opening of tenders will be done in the presence of the commission for purchase and without the presence of tenderers.

Opening of tenders is done in two phases:

Opening of technical tenders is done in the presence of Commission for Purchase and after the deadline for tender submission i.e. on 1st of October 2018, at 13 o'clock in the afternoon. After opening of technical tenders presentations will be made in accordance with the Orderer's dynamics.

Opening of commercial tenders will be done after finishing evaluation of technical tenders by Commission, and if possible, on 3rd of October 2018, at 13 o'clock in the afternoon in the premises of the Orderer, in the presence of the Commission for Purchase.

The Orderer keeps the right to, after opening commercial tenders, continue the procedure of negotiation.

The Orderer will make a decision on selection of the most favorable tender within the term of seven days from the day of opening the tenders and after commercial negotiations are completed.

4. Notification of the procedure performed/selection of the most favourable tender

A notification of the procedure performed/selection of the most favourable tender shall be delivered to the Tenderers.

Deadline for the tenderers to have an insight into the Purchasing Commission's Report and to submit their complaints to it is five working days after the day of notification delivery.

Complaints in written form should be submitted to the Clerk's office/Legal Affairs Department, Department for Legal and Administrative Affairs, by mail or in person, in a sealed envelope, and the date and time of receiving it shall be put on it. Complaints received after the deadline for submitting complaints shall not be taken into consideration and they shall be returned to the Tenderer by the Purchasing Commission. It shall be considered that the complaints are received in time, if they are submitted to the Clerk's office by 4 o'clock p.m. on the last day of the deadline, if submitted in person, or if submitted to the post office on the last day of deadline.

5. Communication

All additional information concerning this Invitation for tendering tenderers can request exclusively in a written form or by e-mail 6 days before expiration of the term for submission of

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tenders the latest. Additional information and explanations by phone are not allowed and they will be considered as they have not been given.

6. Requirement referring to consent of the Ministry of Economy Commission for Granting Permissions

The procedure of **HIP-Petrohemija a.d. Pancevo** privatization has been started **and is carried on in accordance with the Law on Privatization provisions** (Official gazette RS: /"SI. glasnik RS" / Nos. 83/2014, 46/2015 and 112/2015).

Pursuant to Article 93 of the Law on Privatization, HIP-Petrohemija a.d. Pancevo, as being the subject of privatization shall not, without consent of the Commission for Granting Permissions of the Ministry of Economy, render decisions referred to in Article 11 of the Decree on the Procedure and Method of Restructuring of Privatization Entities (Official gazette RS:/ "Sl. glasnik RS/ Nos. 52/05, 96/08, 98/09, 44/13 and 59/13), which among other issues refer to the disposal of real property (Article 11, Par. 1 Item 1).

In that respect, a Purchasing Contract shall be signed with the most favourable tenderer only after the Commission for Granting Permissions of the Ministry of Economy brings a decision giving its consent for the subject purchase. In the case of refusal of the Commission for Granting Permission of the Ministry of Economy to give its consent for the subject purchase, the Orderer bears no responsibility of any kind whatsoever for real damage, lost profit, or any other damage which the tenderer may be suffered from for that reason in spite of the fact that the tenderer has been warned of the possibility of damage occurrence.

Issuing the public invitation and carrying out the tendering procedure make no obligation for the Orderer to sign a Contract.

Contact person – technical part:

Mileta Petrov

E-mail: mileta.petrov@hip-petrohemija.rs

Tel: +381 64 8566043

Contact persons – commercial part:

Milan Vitomirov

E-mail: milan.vitomirov@hip-petrohemija.rs

Tel: +381 64 8566368

Sincerely Yours,
Commission for Purchase, President of the Commission
Predrag Popović
Pančevo, September 2018.

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II INSTRUCTIONS FOR TENDERERS HOW TO PREPARE THEIR TENDER

A tender must contain all the elements required by the invitation for tender submission, instructions for tenderers and possible subsequently sent additional notifications.

A tender also has to contain all the documents and evidence the Orderer asked for, in order to determine the fulfillment of obligatory conditions i.e. to determine qualifications of tenderers.

1. Obligational content of tender

Tenders are submitted in a closed envelope that contains two separate closed envelopes for technical economic documentation and commercial tender.

Tenders are submitted in Serbian language or English.

- I envelope - Technical economic tender has to contain the following:

a.basic general and additional qualification criteria,

b.technical tender (technical solution according to the request)

- II envelope - Commercial tender has to contain the following

a.offered price on the prescribed form

I Technical economic documentation (must contain two envelopes: A and B)

A) Basic general and additional qualification criteria (to be put in a separate envelope)

1.	Completed, signed and stamped Form "Data on tenderer" (Enclosure 1).
2.	Signed and stamped Form "Statement on anticorruption measures" (Enclosure 2).
3.	Completed, signed and stamped Form "Statement on acceptance of conditions of tender documentation" (Enclosure 3) contained in: - I Invitation for tendering - II Instruction for tenderers how to prepare a tender - III Terms of tender
4.	A proof that the tenderer is registered with the competent authority, i.e. that it is entered in the appropriate register. - a copy of Certificate issued by the Serbian Business Registers Agency which confirms that the tenderer is registered in the Register of Tenderers (the Tenderer is not obliged to submit this proof since it can be found on the website of the Serbian Business Registers Agency) (applicable for tenderers registered in the Republic of Serbia). or, if the tenderer is not registered with the Serbian Business Registers Agency, it is obliged to submit the documentation as stated under 4.1., 4.2., 4.3. and 4.4. Tenderers from abroad should submit the documents issued by the competent authorities of the state where the tenderer has its seat. If in the state in which the tenderer has its seat some of the proofs mentioned in this Invitation - in the part Technical economic documentation cannot be issued, the tenderer can enclose his written statement, made under criminal and material responsibility, verified before the court or administrative authority, notary public or

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	other competent authority of that country.
4.1.	A copy of excerpt from the register of the Serbian Business Registers Agency (the Tenderer is not obliged to submit this proof since it can be found on the website of the Serbian Business Registers Agency) (applicable for tenderers registered in the Republic of Serbia).
4.2.	A proof that the tenderer and its legal representative(s) have not been charged with any criminal offense as members of organized criminal group, neither with any economic or environmental offence, criminal act of receiving of giving bribe, criminal act of fraud (applicable for all tenderers). Legal entities: 1) A copy of excerpt from criminal records, i.e. confirmation issued by the basic court of the teritory where the seat of a local legal entity is located, or the seat of the regional office or a branch of a foreign legal entity, which confirms that the legal entity has not been charged for any offence referring to economy, environment, receiving or giving bribe, fraud, and this confirmation must not be older than 2 months on the day when the tender is opened 2) A copy of excerpt from criminal records issued by the Special Division for Organized Crime of the Superiod Court in Belgrade, which certifies that the legal entity has not been charged with any criminal offense of organized crime, and this confirmation must not be oleder than 2 (two) months on the day when the tender is opened.
	3) A copy of excerpt from criminal records, or a confirmation issued by the competent police office of the Ministry of Interior, which certifies that the legal representative(s) of the tenderer have not been charged with any criminal offence against economy or environment, criminal act of giving or receiving bribe, criminal act of fraud, or any criminal act of organized crime (application for obtaining such confirmation may be submitted either in the legal representative's birthdplace or in the place of his residence), and it must not be older than 2 (two) months on the day when the tender is opened. If the tenderer has more than one legal representavie, the requested proof must be submitted for each of them. Entrepreneurs: A copy of excerpt from criminal records, or a confirmation issued by the competent police office of the Ministry of Interior, which certifies that the legal representative(s) of the tenderer have not been charged for any criminal offense as members of organized criminal group, and that they have not been charged with any criminal offence against economy or environment, criminal act of giving or receiving bribe, criminal act of fraud (application for obtaining such confirmation may be submitted either in the legal representative's birthdplace or in the place of his residence). This proof must not be older than 2 (two) months on the day when the tender is opened.
4.3.	A proof that no measure has been instituted against the tender is opened. A proof that no measure has been instituted against the tenderer which would forbid his performing activities with the effect at the time of publishing i.e. sending the invitation for tender submission (applicable for all tenderers): -Legal entities: a copy of confirmation issued either by the Commercial and Magistrate Court or the Serbian Business Registers Agency, and it must not be older than 2 months on the day when the tender is opened. -Entrepreneurs: a copy of confirmation issued either by the Magistrate Court or the Serbian Business Registers Agency, not older than 2 months on the day when the tender is opened.

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4.4.	A proof that the tenderer has settled all due obligations, taxes, contributions, and other public duties in accordance with the regulations of the Republic of Serbia or any other country in the case when it has a seat on the territory of that country (applicable for all tenderers:- a copy of confirmation issued by Tax Administration of the Ministry of Finance and Economy, not older than 2 months on the day when the tender is opened - a copy of confirmation issued by competent local administration, not older than 2 months on the day when the tender is opened.
	If the tenderer submits a joint tender to participate as a group of participants, it must submit the proofs as defined under article 4, or subarticles 4.1., 4.2., 4.3., and 4.4. (applicable for all tenderers), as well as an agreement about mutual business cooperation (Enclosure 4)
5.	The agreement must contain the data about: 1) a group member who will be a job carrier, i.e. who will submit the tender and who will represent the joint tenderers before the orderer; 2) a tenderer who will sign the contract in the name of the group; 3) a tenderer who will provide an instrument of guarantee in the name of joint tenderers;
	 4) a tenderer who will issue the invoice; 5) an account to which the payment should be effected; 6) obligations of each tenderer of the joint tenderers referring to contract realization. 7) The tenderers who submit the joint tender bear unlimited joint and several liability towards the orderer.
6.	If the tenderer submits a tender which includes subcontractor(s), he must submit the proofs as defined under article 4. or subarticles 4.1.,4.2.,4.3., and 4.4. for each subcontractor (appllicable for all tenderers); as well as the contract of their mutual business cooperation
7.	Statement about full acceptance of techical specification attached to Tender

Tenders which do not meet qualification criteria shall not be further considered.

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B) Tecnical tender (techical solution as per request – (to be put in a separate envelope)

1.	Technical tender must be on the letterhead and in all details in compliance with the Technical Specification (Enclosure 5).
2.	Statement made on the letterhead that all current legal provisions shall be fully respected.
3.	Short description of the Tenderer's personnel structure. Copies of the licenses for key personnel that will be engaged in project elaboration must be delivered, as well as the M form copies.
4.	Short description of the personnel structure of the subcontractor(s) or members of the joint tender. Copies of the licenses for key personnel that will be engaged in project elaboration must be delivered, as well as the M form copies.
5.	Statement of the Tenderer, made on the letterhead, that it will deliver the Certificate of Residence and Statement of Ownership of Capital (applicable for the tenderers whose countries signed the Double Taxation Convention with the Republic of Serbia for the purpose of tax relief)



Il envelope - Commercial tender must include the following:

- Completed, signed and stamped certified Form of the commercial tender (Enclosure 6).

 With a certified Form of the commercial tender, Tenderer also submits commercial tender on its letterhead with the detailed specification, unit prices and total price.
- In case of advance payment, Tenderer's Statement on his letterhead that he will deliver bank guarantee for return of advance payment in the amount of 100% of advance payment.

2. Additional explanations from tenderers

Orderer can demand from the Tenderer additional explanations that will help him with examination, valuation and comparison of tenders.

If Tenderer refuses to give additional explanations, Orderer has the authority to disqualify Tenderer from purchase.

3. Costs concerning the tenders

The Tenderer will bear all the costs concerning preparation and delivery of his tender, no matter whether his tender will be accepted or not.

4. Amendments and additions of the Invitation for tendering

At any moment, and 5 days before the deadline for submission of the tenders the latest, the Orderer can make amendment and/or addition to tender documentation, through correction – for any reason – whether it is on his own initiative or as an answer to the explanation requested by the Tenderer.

The correction is entered immediately and as such submitted to tenderers.

5. Amendment and withdrawal of tenders

Tenderer can amend or withdraw his tender before expiration of the term for submission of tenders, and an amendment or withdrawal of tenders is valid only if the Orderer receives the amended tender or notice on withdrawal of the tender before expiration of the term for submission of tenders.

6. Participating in joint tender or as subcontractor

A tenderer may submit only one tender.

A tenderer who submits a tender independently may not at the same time participate in another tender either as member of a joint tender or as a subcontractor.

Also, a legal entity, as a member of a joint tender, may not participate in other joint tenders. Sub-contractors may be engaged, i.e. they may participate in more than one tender.

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III TERMS OF TENDER

1. Price

Price has to be fixed, expressed in euro (EURO).

Payments in dinar equivalent value are according to NBS average rate on the day of invoicing (for domestic tenderers) or in foreign currency in euro (EURO) (for foreign tenderers), with all the costs, without calculated value added tax.

Price that tenderer offers will be fixed during the execution of Contract and it will not be subject to changes for any reason.

Price has to be given in total gross amount in which there are included all the belonging tax liabilities and all the acompanying and dependant costs, as well as all the possible costs which can appear regarding performance of work.

Price has to be expressed as total and uniform for the whole operation according to "turnkey" system and it will not be subject to amendments, about which tenderer gives his consent.

2. Place and term of purchase realization

The term for purchase realization shoud be specified in a tender.

3. Guarantee period

Guarantee period will be defined by a tender.

4. Tender validity

Tender has to be valid for 90 days from the day of opening of tenders. In case the tenderer states shorter tender validity term, tender is rejected.

5. Criteria for evaluation of tender

The most favorable tender is selected based on the criterion of the lowest offered price for the corresponding technical solution for which technical agreement has been given.

6. Contract conclusion

The tenderer whose tender is accepted, is obliged to sign the Contract with the Orderer in the period that the Orderer determines.

The Orderer has the right to choose, as the most favorable tender, the next tender in range based on the valuation, if the first ranked tenderer abandons the conclusion of contract.

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ENCLOSURE 1.

FORM DATA ON TENDERER

ENCLOSURE 1.1. G	ENERAL DATA ON TENDERER
Name of tenderer:	
Head office:	
Address of head office :	
Identification number:	
TIN:	
Activity code	
Bank name and bank account number:	
Phone:	
Fax:	
e-mail:	
Entity authorized to sign the contract:	
Contact person:	
Tenderer is registered in Register of Bidders kept at Business Registers Agency	YES NO (round)
	SUBMITS A TENDER:
1) INDEPENDENTLY	
2) AS A JOINT TENDER	
3) WITH SUBCONTRACTOR	
Note: Round the way of submitting the tender an i.e.data on subcontractor. Place and date: S.P.	d write in the data on all the participants of a joint tende Tenderer:
	Name and surname, signature:

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ENCLOSURE 1.2. GENERAL [DATA ON	PARTICIPANT OF	JOINT TEN	DER
Name of tenderer:				
Head office:				
Address of head office:				
Identification number:				
TIN:				
Activity code				
Bank name and bank account number:				
Phone:				
Fax:				
e-mail:				
Entity authorized to sign the contract:				
Contact person:				
Tenderer is registered in Register of Bidders kept at Business Registers Agency		YES (ro	und)	NO
Note: It is to be filled-in only by the tenderers value joint tender, it is necessary to copy the form an tender.				
Place and date:		Tenderer:		

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ENCLOSURE 1.3. GENERAL DATA ON SUBCONTRACTOR Name of tenderer: Head office: Address of head office: Identicication number: TIN: **Activity code** Bank name and bank account number: Phone: Fax: e-mail: Entity authorized to sign the contract: **Contact person:** Tenderer is registered in Register of YES NO **Bidders kept at Business Registers** (round) Agency Note: It is to be filled-in only by the tenderers who submit a tender with subcontractor/subcontractors. If there are more than one subcontractors, it is necessary to copy the form and fill it in for each subcontractor. Tenderer: Place and date: S.P.

Name and surname, signature:

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ENCLOSURE 2.	STATEMENT ON AN	ITICORRUPTION MEASUR	ES
Petrohemija" a.d. Pa A. We participate to of the contract on purpose). A.1. We are aware a shall bear all the sal B.1. In the performa persons, the emplo payment of any mor making influence of	ančevo – we state under of gether in struggle against urchase there will be proceed and we accept that, in cas notions regulated by the cance of the contract on puyed or agents/representatiney directly or indirectly to	nders released oncriminal, material and moral recorruption and state that also eeded for that purpose (hereing eof acting contrary to the state competent legislation and contracting particles, as a contracting particles, authorized persons shall any persons for the purpose as of these persons with the inter illegal aims.	esponsibility that: o in the performance nafter: the stated ated purpose,we tract on purchase. y, our connected I not pay, nor offer of
contracting party, no agents/representative the competent legis receiving bribe, trace	or our connected persons, ves/authorized persons shation for contract on pure	nall make any activities, which chase are qualified as: giving sconduct, money laundering,	n according to bribe,
happen any acting Contracting party of prevention of occur information we shat our understanding or may happen any that in such inform of obligations from the other Contracting purpose, and that it confirmation within	contrary to the stated pure on that in a written form, with the form of the facts and/or authentically confirm or go acting contrary to the station we inform another Countract on purchaseing party that there has not will not occur. The other	other Contracting party there had pose, we shall obligatory information the term which reliably ever at least their minimizing. In send materials/evidence, which is basis for assumption that eated purpose. In that case we contracting party that we term ever until receiving a written confect occured the action contrary of Contracting party can send somethe day when it received the action the day when it received the contractions of the day when it received the party can send somethe day when it received the contractions are the contractions of the day when it received the contractions are the contractions are the contractions of the contractions are the	orm other nables the written ch according to there happened have the right inate fulfillment firmation from to the stated such written
term from the prev purchase unilatera termination. In suc damage, which are (real) damage in a	ious paragraph, we have to lly, sending to the other C h a case, we have the right ose as a consequence of s sense of this document is	es not send us the written con the right to terminate the Con contracting party a written not ht to request compensation of such termination. The comper limited to the value of the con ontractor and participant in join Tenderer:	tract on ice on fordinary (real) is ation of ordinary necession of ordinary increte contracted job.
	S.P		
		Name and surname	e, signature

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ENCLOSURE 3. STATEMENT ON ACCEPTANCE OF TENDER DOCUMENTATION TERMS

We declare herewith that we accept all the terms of tender documentation defined in:

- -I Invitation for tendering
- -II Instruction for tenderers how to prepare the tender
- -III Terms of tender

I	Note:	It is to	be 1	filled-in	by ea	ach t	tender	er,	subcontrac	ctor a	and	partici	pant	ın a	joint	tend	er

Place and date:		Tenderer:
	S.P.	
		Name and surname, signature:

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ENCLOSURE 4. CONTRACT ON MUTUAL COOPERATION

An integral part of a joint tender has to be a Contract on mutual cooperation containing the data on:

- 1) member of a group who will be the main contractor, i.e.who will make tendering and who will represent the joint tenderers in front of the orderer;
- 2) tenderer who will sign the contract on behalf of the joint tenderers;
- 3) tenderer who will give security means on behalf of the joint tenderers;
- 4) tenderer who will issue a bill;
- 5) account on which payment will be effected;
- 6) liabilities of each tenderer participating as jont tenderers for the contract fulfillment.

The tenderers submitting a joint tender have unlimited joint and several liability towards the orderer.

Note:			

- -It is to be filled-in by the tenderer who will sign the contract on behalf of joint tenderers
- -It refers only to the tenderers who are associated for the purpose of submitting the joint tender

Place and date:		Tenderer:		
	S.P.			
		Name and surname, signature:		

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ENCLOSURE 5. TECHNICAL SPECIFICATION OF RTCs

- Specification of RTCs:
 - 1. Tank code: P25BH; P26BH; P27BH
 - 2. Tank volume: min 110m³
 - 3. Tank length (from buffer to the buffer): min 18m
 - 4. Tare car weight: 32-35t
 - 5. Loading / unloading connection:
 - liquid phase Weco connection, hydraulic valve DN 80mm
 - Gas phase Weco connection, hydraulic valve DN 80mm
 - 6. Tanks are registered for transport:
 - Buta-1.3-diene and a mixture of hydrocarbons, stabilized, UN 1010
 - Butane, UN 1011
 - Mixture A / B / C, UN 1965
 - Propylene, UN 1077

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ENCLOSURE 6.		FORM OF COMMERCIAL OFFER						
Name	e of participant:							
From):							
Date	of the offer:							
Num	ber of the offer:							
			T					
No.	Name and description of	of the	the	Year of	Unit price and quantity depending on the length of the lease			
	service		Quantity	producti on	l Year lease	II Years lease	III Years	
			Number of	In the	lease	lease	lease	
			Units	period				
			€/day/RTC	2000				
1	25 GAS RTCs, According	_	-	2010.				
	Specification in Enclosur	e 5.	Number of Units	In the				
			€/day/RTC	period 2011				
				2018.				
Comn	nercial conditions:							
Option Option	n of the offer:	Days						
Paym	ent Terms							
Notes	:							
	With this commercial te ment and services and t						of	
In the	of lease must be presene case of billing in dinare on the day of invoicing.			•	nal Bank	s Serbia w	ill be	
Option Notes	n of tender da ::	ays						