

In accordance with Article 28 of the Law on Privatization ("Official Gazette of the Republic of Serbia" nos. 38/2001, 18/2003, 45/2005, 123/07, 123/07 – oth. Law and 30/2010 – oth. law) and Article 9 of the Law on Privatization Agency ("Official Gazette of the Republic of Serbia" nos. 38/2001, 135/2004 and 30/2010), **the Privatization Agency** (hereinafter: "the Agency") hereby announces:

## **PUBLIC INVITATION**

for participation in Public Tender  
**for the sale of 100% of the registered socially owned capital of the company**

**Društveno preduzeće za poljoprivrednu proizvodnju i preradu "Porečje" sa PO, Vučje**

(hereinafter: "Entity Undergoing Privatization").

Tender Code: **POR 07/10**

1. Total registered capital of the Entity Undergoing Privatization consists of 100% socially owned capital.
2. The Agency is offering for sale 100% of the registered socially owned capital of the Entity Undergoing Privatization.
3. Details about the Entity Undergoing Privatization:

**Name:** Društveno preduzeće za poljoprivrednu proizvodnju i preradu «Porečje» sa PO, Vučje, Leskovac

**Address:** Koste Stamenkovića 10, Vučje, Republic of Serbia

**Phone:** +381 16 34 27 004

**Fax:** +381 16 34 27 014

**Industry:** Fruit growing, activity code 01131

More details about the Entity Undergoing Privatization are available at:

[www.priv.rs](http://www.priv.rs)

Detailed information on the Entity Undergoing Privatization along with Instructions to Bidders (hereinafter "the Tender Documents") will be made available to all interested tender participants after signing of the Confidentiality Agreement and payment of the Tender Documents Fee.

The Tender Documents Fee is EUR 5,000.00 (euro five thousand) in RSD counter value at the middle exchange rate of the National Bank of Serbia on the invoicing date.

4. A bid may be submitted by the following parties:

A. A potential bidder that fulfills the following conditions:

- It has purchased the Tender Documents; and
- It has been engaged in production and/or sale of fruit and/or vegetables over at least 3 business years in continuity and it has achieved the operating income of no less than EUR 3,500,000.00 (euro three million five hundred thousand) in the last completed business year .

If a potential bidder is a subsidiary that does not fulfill the conditions of this Clause of the Public Invitation, its parent company has the right to submit a bid if it fulfills the stated conditions.

The parent company that fulfills the above stated conditions has the right to submit a bid even though the subsidiary has purchased the Tender Documents.

If a potential bidder is a parent company that does not fulfill the conditions of this Clause of the Public Invitation, its subsidiary has the right to submit a bid if it fulfills the stated conditions.

The subsidiary that fulfills the above-stated conditions has the right to submit a bid even though the parent company has purchased the Tender Documents.

B. If a potential bidder is a Consortium it is necessary that it cumulatively fulfills the following conditions:

- All Consortium members have made the decision on organizing and entering into the Consortium;
- All Consortium members have made a written Consortium Agreement and notarized it at Court or any other competent authority (if the Consortium members are foreign legal entities or individuals);
- Each member of the Consortium assumes unlimited joint and several liability by the provisions of the Consortium Agreement;
- The Consortium Agreement specifies each member's percentage in the acquisition of the capital of the Entity Undergoing Privatization, in such way that at least one of the Consortium members has at least 51% share in the Consortium (hereinafter: "Leader of Consortium").
- All Consortium members have signed a Notarized Power of Attorney for the representing member of the Consortium;
- All Consortium members have signed the Confidentiality Agreement;
- At least one of the Consortium members has purchased the Tender Documents and Leader of Consortium fulfills the following condition:
- It has been engaged in production and/or sale of fruit and/or vegetables over at least 3 business years in continuity and it has achieved the operating income of no less than EUR 3,500,000.00 (euro three million five hundred thousand) in the last completed business year.

5. The Agency hereby invites all the interested parties to submit a written request for the purchase of the Tender Documents for the Entity Undergoing Privatization, by **September 17, 2010**;

**The Tender Documents shall be available to the interested parties starting from September 1, 2010.**

The written request for purchasing the Tender Documents shall be sent by post, e-mail or facsimile to the Agency and shall clearly display the reference "Request for purchase of the Tender Documents – Tender Code: POR 07/10".

Upon receipt of such request, an invoice for paying the Tender Documents Fee as well as the Confidentiality Agreement for signature shall be forwarded to the Tender Participant's authorized representative by post, e-mail or facsimile. The signed Confidentiality Agreement shall be immediately faxed and mailed back to the Agency to the address given below.

Upon receiving the signed Confidentiality Agreement and evidence of payment of the Tender Documents Fee, Agency shall, upon the expiry of the period from the paragraph 2 of this item, forward the relevant Tender Documents to the Tender Participant by post/e-mail or hand it to their authorized representative.

The Agency shall not be held liable for any loss or delay that may occur in the delivery of any document.

6. The deadline for submission of the final binding offers by the bidders for the purchase of 100% of the registered capital is **October 1, 2010 at 04:30 p.m. (Belgrade time)**.

As a prerequisite for submitting a bid, it is necessary to pay a deposit or submit a Bid Bond in the amount of EUR 50,000.00 (Euro fifty thousand).

If necessary, the Agency reserves the right to amend all or some of the elements of this Public Invitation, i.e. the deadlines or conditions of this Public Invitation.

The potential bidders shall be notified on all amendments of this Public Invitation through Privatization Agency's web site and/or in daily newspapers «Politika».

7. All the questions related to this Public Invitation should be directed in Serbian or English language to contact persons listed below:

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