ERBUD S.A.

Topic:
Conclusion of a significant agreement between the Issuer and Przedsiębiorstwo Robót Drogowych S.A., a subsidiary of Erbud S.A.
Legal basis: Article 56 section 1 item 2 of the Bid Law - current and periodic information

Content of report:

The Executive Board of Erbud S.A. reports that on 5 August 2009 was signed a contract on design, development and strengthening of the national road No. 1 Gdańsk-Cieszyn over a distance of Toruń - Włocławek (12 km).
Investor: Generalna Dyrekcja Dróg Krajowych i Autostrad, Oddział w Bydgoszczy (General Directorate for National Roads and Motorways, Division in Bydgoszcz).

Consortium:
- ERBUD S.A. based in Warsaw at 300A Puławska St., entered in the register of entrepreneurs of the National Court Register kept by the District Court of the capital city of Warsaw, XII Economic Department of the National Court Register under the number KRS 0000268667, share capital of PLN 1,257,102.50 fully paid in, NIP (Taxpayer's Identification Number): 879-01-72-253, REGON (National Business Register Number): 005728373, hereinafter referred to as the "Leader" (37% stake in the consortium, i.e. PLN 21,742,698.86 gross and PLN 17,821,884.31 net)

- Przedsiębiorstwo Robót Mostowych "Mosty-Łódź" S.A. based in Łódz at 52 Bratysławska St., entered in the register of entrepreneurs of the National Court Register kept by the Łodź District Court, XX Economic Department of the National Court Register under the number KRS 0000059612, share capital of PLN 14,242,900.00 fully paid in, NIP (Taxpayer's Identification Number): 727-012-68-90, REGON (National Business Register Number): 470615826, hereinafter referred to as the "Partner" (11% stake in the consortium, i.e. PLN 6,464,045.60 gross and PLN 5,298,398.04 net)

- Przedsiębiorstwem Robót Drogowych S.A. based in Torun at 113 Polna St., entered in the register of entrepreneurs of the National Court Register kept by the Toruń District Court, VII Economic Department of the National Court Register under the number KRS 0000028071, share capital of PLN 672,100.00 fully paid in, NIP (Taxpayer's Identification Number): 879-01-72-253, REGON (National Business Register Number): 871098102, hereinafter referred to as the "Partner". PRD S.A. is a subsidiary of Erbud S.A., controlled in a 100 per cent. (11% stake in the consortium, i.e. PLN 30,557,306.53 gross and PLN 25,046,972.56 net).

Contract value:
PLN 58,764,050.99 gross
PLN 48,167,254.91 net.

Performance time:

Commencement - not later than 30 days after signing the contract
Completion - within 12 months after the date of signing the contract; the execution time does not include the period between the 15 December 2009 and 15 March 2010.

Penalties:
The maximum value of penalty for delays is limited to 10% of the gross contract price.

Performance security:
Erbud S.A. as the leader of the consortium has provided the orderer a performance bond for an amount of 5% of the gross bid price (i.e. PLN 2,938,202.55), valid till 5 January 2011 and a guarantee for remedying defects and faults amounted to PLN 881,460.77, valid from 6 January 2011 until 20 January 2014.