ERBUD S.A.

Current Report No. 33/2019
Report date: 2019-05-23

Topic:

Signing a significant contract worth PLN 24.76 million net for construction works at the Żukowice Wind Farm.

Legal basis:
Article 17(1) of the MAR – confidential information

Content of report:
The Management Board of Erbud SA (the "Issuer") informs that on 23 May 2019 the PBDI S.A from Toruń (a subsidiary 90% owned by the Issuer) entered into a significant construction contract on the terms and conditions specified below.

1. Contract date: 23.05.2019.
2. Customer: Park Wiatrowy Gaworzyce Spółka z ograniczoną odpowiedzialnością seated in Warsaw, 41 Wybrzeże Kościuszkowskie Street.
3. Net Contract value: PLN 24,764,741.62.
4. Contract subject: Construction works at the Żukowice Wind Farm.
5. Completion time limit: by 30 June 2020.
6. Payment terms: Partial invoicing based on the completion of milestones. Invoices payable within 30 days of receipt of the invoice.
7. Performance Bond: 10% of gross remuneration in the form of bank or insurance guarantee valid by 30 June 2020.
8. Defects Liability Bond: 5% of gross remuneration in the form in the form of bank or insurance guarantee valid beyond 30 days from the date of expiry of the basic warranty period.
9. Warranty period: 3 years from the date of the completion of Works.
10. Penalties:
    - 10% of gross remuneration for withdrawal from the Contract by the Customer in cases specified in the Contract;
    - for delayed completion of particular milestones, however the Customer shall waive the imposition of the aforementioned contractual penalties, if the deadline for the completion of the entire task is met and the Customer does not suffer damage due to delays;
    - the total sum of contractual penalties may not exceed 30% of net remuneration.