ERBUD S.A.

Current Report No. 45/2019
Report date: 2019-08-08

Topic:
Signing a significant contract with a net value of PLN 22.98 million for construction works at the erection of the Lichnowy Wind Farm.

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

Content of report:

The Management Board of ERBUD S.A. (the "Issuer) informs that on 8 August 2019 PBDI S.A with registered office in Toruń (a subsidiary 90% owned by the Issuer) concluded a significant Contract for construction works on the following terms and conditions:

1. Contract date: 08.08.2019.
2. Customer: Park Wiatrowy Lichnowy Spółka z ograniczoną odpowiedzialnością seated at 11 Żupniczea Street, 03-821 Warszawa.
3. Net contract value: PLN 22,980,431.77.
4. Contract subject: Construction works at the erection of the Lichnowy Wind Farm.
5. Completion date: 01.06.2020.
6. Defects Liability Bond: 10% of the gross remuneration in the form of a bank or insurance guarantee, valid until 1 June 2022. The guarantee becomes due on the day of signing the contract and should be valid until the end of the Defects Notification Period, i.e. 01.06.2022.
7. Warranty period: 2 years from the deadline for completing the Works.
8. Penalties:
   - for the Customer's withdrawal from the contract in cases specified in the contract - 10% of gross remuneration;
   - for delays in the completion of individual milestones
   - 4% of the remuneration for delay in the completion of concreting of all foundations (27.01.2020), the delay will start counting after the first full week from the date of the penalty imposed and will increase by 3% for each full week of further delay or proportional part of the same week;
   - 4% of the remuneration for delay in readiness for tests and evaluations (16.03.2020), the delay will start counting after the first full week from the date of readiness for tests and will increase by 3% for each full week of further delay or proportional part of the same week;
   - The maximum penalty limit for delay will not exceed 20% of the total contract remuneration.