05/11/2019 Current Report No. 56/2019 (09:04 p.m.)
Topic:
Signing of a significant Agreement of the net value of PLN 37.05 million for construction works at the construction of the Wind Power Facility Szymankowo.
Legal basis:
Article 17(1) MAR - confidential information.

Content of the Report:
The Management Board of ERBUD S.A. (Issuer) informs that on 5 November 2019 the company PBDI S.A from Toruń (90%-subsidiary of the Issuer) concluded a significant Agreement for construction works at the construction of the Wind Power Facility Szymankowo consisting of 11 wind power plants with a total maximum capacity of 38.115 MW.

1. The date of contract conclusion: 5 November 2019;
2. Investor (exact name and registered office): Polenergia Farma Wiatrowa Szymankowo Sp. z o. o. with registered office in Warsaw at 24/26 Krucza Street, 00-526 Warsaw;
3. Total net value of the contract: PLN 37 050 000.00 net;
4. Contract completion date: June 2021;
5. Payment terms: partial invoicing in accordance with milestones. Invoices payable within 30 days from the date of Investor's receipt of a correctly issued VAT invoice;
6. Performance Bond: 10 % of the gross contract value in the form of an insurance guarantee for the duration of the contract + 3 months;
7. Guarantee of repair of defects and faults: 5% of the gross value of the contract in the form of an insurance guarantee with a term of 60 months from the date of issuance of the Takeover Certificate, i.e. after final acceptance and obtaining a valid occupancy permit by the Investor;
8. Penalties:
    - for termination of the Contract for reasons attributable to the Contractor - 10% of the gross value of the Contract;
    - for delays in the execution of particular milestones - 0.1% of the remuneration for a given milestone for each day of delay;
    - for delay in removing defects found, including in particular defects preventing the installation of wind turbines or their start-up and commissioning - 0.2% of the contractual remuneration due for the defective part of the Agreement for each day of delay;
    - the total amount of contractual penalties shall not exceed 20% of the gross remuneration.
9. Remarks:
   The Parties' commencement of the performance of the subject of the Contract is conditional upon a written instruction to commence work entrusted to the Contractor by the Ordering Party.
   The deadline for obtaining the instruction is 31.03.2020.