27/01/2020 Current Report No. 5/2020 (09:38 a.m.)

Topic:
Signing of a significant Agreement of the value of PLN 75 million PLN for construction works at the construction of a wind farm in the Zachodniopomorskie Province.

Legal basis:
Article 17(1) MAR - confidential information.

Content of the Report:
The Management Board of Erbud S.A. (Issuer) informs that on 27 January 2020 the company PBDI S.A from Toruń (90%-subsidiary of the Issuer) signed a significant Agreement for construction works under the following terms:

1. Contract conclusion date: 27 January 2020;
2. Investor (exact name and registered office): ENERTRAG Aktiengesellschaft with its registered office in Gut Dauerthal, 17291 Dauerthal;
3. Total net value of the contract: PLN 75,000,000.00 net;
4. Subject of the contract: construction works at the construction of a wind farm in the Zachodniopomorskie Province;
5. Deadline for Agreement performance: 31 December 2021;
6. Payment terms: partial invoicing according to milestones implementation. Invoices payable within 30 days from invoice delivery;
7. Performance bond: 10 % of the net remuneration in the form of a bank or insurance guarantee;
8. Warranty for repair of defects and faults: 5% of the net remuneration in the form of a bank or insurance guarantee, valid for 5 years and 6 months, counted from the date of occupancy permit receipt.
9. Penalties:

- for delay in Agreement performance – 0.2% of the net remuneration for each day of delay;
- for delay in the performance of particular milestones – 0.2% of the net remuneration (in respect of the particular stage of agreement performance) for each day of delay.
  The total of contractual penalties may not exceed 20% of the net remuneration.