14/07/2020 Current Report No. 33/2020 (04:26 p.m.)

Topic:
Signing of a significant Agreement of the net value of PLN 31.9 million PLN for construction works at the construction of a wind farm in the area of zachodniopomorskie voivodship.

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

Content of the Report:
The Management Board of Erbud S.A. (Issuer) informs that on 14 July 2020 the company PBDI S.A from Toruń (90%-subsidiary of the Issuer) concluded a significant Agreement for construction works with the following terms:

1. Contract conclusion date: 14 July 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 31,900,000.00 net;
4. Subject matter of the contract: construction works at the construction of a wind farm in the area of zachodniopomorskie voivodship;
5. Deadline for Agreement performance: 30 November 2021;
6. Payment terms: partial invoicing according to milestones implementation. Invoices payable within 30 days from invoice delivery date;
7. Performance bond: 10 % of the net value of the remuneration in the form of an insurance guarantee;
8. Warranty for repair of defects and faults: 5% of the net value of the remuneration in the form of an insurance guarantee with its term for 5 years and 6 months calculated from the date of the occupancy permit receipt;
9. Penalties:
    - for delay in the performance of the agreement – 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 (concerning the particular stage of agreement performance) for each day of delay.

    The total amount of the contractual penalties will not exceed 20% of the net remuneration.