



No. **53 /2009**

Date: 28-12-2009

Topic: Conclusion of a significant contract.

Legal grounds: Article 56 (1) (2) of the Act on offers – current and periodical information

The Management Board of Polimex-Mostostal S.A. informs that on 28 December 2009 there was signed a contract with the Południowy Koncern Energetyczny S.A. of ul. Lwowska 23, 40-389 Katowice. The subject matter of the Contract is the construction of a new heat unit with a fluidised boiler, a back-pressure turbine, two peak boilers and a heat accumulator at Bielsko-Biała EC1 Heat and Power Generating Plant'.

Polimex-Mostostal S.A. shall be responsible for the development of the design documentation, delivery of equipment and systems, installation, launching and commissioning of the heat unit.

Contract **net** value: 409,700,000.00 PLN (in words: four hundred and nine million, seven hundred thousand PLN)

Contract **gross** value: 499,834,000.00 PLN (in words: four hundred and ninety-nine million, eight hundred and thirty-four thousand PLN)

Task completion date has been established on 28 March 2013.

Technical guarantees shall apply for 42 months of the commissioning date, i.e. by September 2016.

Performance bond constitutes 10% of the bid value, i.e. 49,983,400.00 PLN.

Per each day of delay, there has been stipulated a contractual penalty in the amount of 0.05% of contractual remuneration subject to the limit of contractual penalties amounting to 20% of contractual remuneration.

Legal grounds: Article (56) (1) (2) of the Act on public offer and conditions of organised trade in financial instruments and on public companies, as related to § 5 (1) (3) as related to § 9 of the Ordinance of the Minister of Finances dated 19 February 2009 on current and periodical information provided by issuers of securities and terms of deeming information required by the regulations of a non-Member State equivalent (Journal of Laws of 2009, no. 33, item 259).