



CURRENT REPORT 4 / 2016

29 January 2016

Legal basis: Art. 56.5 of the Public Offering Act – Updated Information.

Subject: Updated Information on Participation of ZUE S.A. in Tender.

Content:

With reference to the current report 2/2016 of 8 January 2016 concerning the submission by ZUE S.A. of Cracow (the “Company”) of the lowest price tender in the tender procedure for “Construction works relating to the replacement of track structure with accompanying works on the Kluczbork - Poznań railway line no. 272, the Poznań Starołęka station, the Poznań Starołęka - Poznań Główny route, the Poznań Główny station, track no. 1 and 2, between 194,638 km and 200,524 km as part of the following project: “Structure replacement with accompanying works on the Kluczbork - Poznań railway line no. 272, the Kórnik - Poznań Główny section, and reconstruction of steel bridge on the Warta river at the Poznań Starołęka station at 196,254 km,” the Company’s Management Board informs that it learnt on 29 January 2016 from PKP Polskie Linie Kolejowe S.A. (the “Contracting Authority”) about the exclusion of the Company from the tender for procedural reasons and the selection of a tender submitted by a bidder other than the Company.

In addition, the Company’s Management Board informs that it has taken decisive measures to explain the grounds for the Contracting Authority’s decision. The Contracting Authority explains its decision by saying that the Company has allegedly failed to provide the original bid bond concerning the said tender procedure.

The Company’s Management Board informs that it has unequivocal and unquestionable confirmation of the Contracting Authority’s receipt of the original bid bond with time and date as well as hand-written signature of the Contracting Authority’s representative. Thus, the Company believes that the Contracting Authority’s decision to exclude the Company from the tender is absolutely groundless. The Company’s Management Board states that it will take relevant legal measures in connection with the said situation.