



CURRENT REPORT 3 / 2013

25 January 2013

Legal basis: Art. 56.1.2 of the Public Offering Act – Current and Periodic Reports.

Subject: Information on Major Contract Conclusion.

Content:

The Management Board of ZUE S.A. of Cracow (the “Company”) informs that today the Company concluded a contract (the “Contract”) with Tramwaje Śląskie S.A. of Chorzów (the “Contracting Authority”).

The Contract provides for the provision of construction works in respect of the following tasks:

- 1) Upgrade of a separate tramway track at lines no. 15, 21, 24 and 27 along the 3-go Maja Street, an interchange in Sosnowiec, with platforms;
- 2) Upgrade of crossings in Sosnowiec: 3-go Maja Street, the intersection of Parkowa and Mościckiego Streets (task no. 28);
- 3) Upgrade of a tramway in the 3-go Maja Street in Sosnowiec – from the interchange to the Zagórze terminus (task no. 29);

in connection with the Contracting Authority’s execution of the following Project no. POIiS.07.03.00-00-012/11: “Modernisation of tram and trolleybus infrastructure in the Upper Silesia with ancillary infrastructure – Project.”

Contract gross value: PLN 32,341,011.31.

Contract net value: PLN 26,293,505.13.

Completion date: 20 months of the contract date.

Should the Contracting Authority not be able to finance the Project with the funds provided by the European Union or the Banks, the Contracting Authority may terminate the Contract without suffering any negative consequences.

The Company gives a 96-month warranty from the date of final acceptance.

The Contracting Authority may demand the Company pay the contractual penalties of:

- a) 20% of the Contract gross value if the Contracting Authority terminates the Contract through the fault of the Contractor;
- b) 0.3% of the Contract gross value for each day of delay in the performance of the entire Contract;
- c) 0.3% of the Contract gross value for each day of delay in the completion of a given task;
- d) 0.3% of the Contract gross value for each day of delay in the removal of defects detected upon the acceptance or during the period of warranty for a given task.

The Contracting Authority reserves the right to claim additional damages up to the value of actual damage according to the Polish Civil Code.

The Polish Civil Code and other applicable laws apply to the issues not regulated by the Contract.

The Contract is deemed major since its value exceeds 10% of the Company's equity.

Legal basis: § 5.1.3 of the Ordinance by the Minister of Finance of 19 February 2009 on current and periodic information published by issuers of securities and the conditions for recognizing information required under the law of a non-member state as equivalent.