



## **CURRENT REPORT 28 / 2013**

**4 September 2013**

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

Subject: Information on Conclusion of Major Contract.

Content:

The Management Board of ZUE S.A. with registered office in Cracow (the “Company”) inform that Przedsiębiorstwo Robót Komunikacyjnych w Krakowie S.A., the Company’s subsidiary (the “Contracting Authority”), concluded on 4 September 2013 a contract (the “Contract”) with Herbud Spółka Cywilna with registered office in Biała Rawska (the “Contractor”).

The Contract provides for the comprehensive railway works – line 186 sections: Łazy ŁA – Łazy ŁB, Łazy ŁB – Łazy ŁC, Łazy ŁC, Łazy ŁC – Dąbrowa Górnicza Ząbkowice DZA, as part of the following project: “Raising the quality of transport services through the improvement of technical condition of the railway lines no. 1, 133, 160 and 186 on the Zawiercie – Dąbrowa Górnicza Ząbkowice – Jaworzno Szczakowa section” (the “Main Contract”).

The Company informed about the conclusion by the Contracting Authority of a contract for the Main Contract in the current report 6/2013 of 25 March 2013.

Net value of the Contract: PLN 26,924,095.28.

VAT at the rate applicable on the date a VAT invoice is issued by the Contractor will be added to the abovementioned net value.

Completion date: 30 April 2014.

The contractual penalties payable by the Contractor to the Contracting Authority include:

- 1) 0.05% of the Contract gross value for each day of delay in the Contract performance;
- 2) 1% of the gross value of individual defective tasks or works for each day of delay for the failure to meet the deadline for the removal of the defects detected upon the acceptance of the works or during the defect liability period;
- 3) 10% of the gross remuneration if the Contract is terminated through the fault of the Contractor.

The Contracting Authority reserves the right to claim from the Contractor the damages up to the value of the actual damage.

The Contracting Authority is obliged to pay the Contractor the following contractual penalties:

- 1) 10% of the Contract gross value if the Contract is terminated through the fault of the Contracting Authority;
- 2) 0.2% of the Contract gross value for each day of delay in the acceptance of the works.

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.*