



## **CURRENT REPORT 44 / 2013**

**29 November 2013**

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

Subject: Information on Conclusion of Major Contract – the Total of Contracts Concluded with One Entity.

Content:

The Management Board of ZUE S.A. with registered office in Cracow (the “Company”) inform that the total net value of the contracts between the Company and the companies comprising the ZUE Capital Group, and Tramwaje Śląskie S.A. with registered office in Chorzów (the “Contracting Authority”) amounted on 29 November 2013 to PLN 29,000,383.74.

Under the contracts, the Company and the companies comprising the ZUE Capital Group provided design and construction services to the Contracting Authority.

The highest value contract (the “Contract”) in the reporting period was concluded on 25 January 2013.

Under the Contract, the Company provided construction services to the Contracting Authority in connection with the following projects:

- 1) “Upgrade of the tramway track along the Wolności street from the Kondratowicza street up to the border with Gliwice” (project no. 50) in Zabrze; and
- 2) “Upgrade of the tramway track along the 3 Maja street in Zabrze” (project no. 51).

Gross value of the Contract: PLN 20,476,139.54.

Net value of the Contract: PLN 16,647,267.92.

Completion date: 25 January 2014.

Warranty given by the Company: 96 months of the final acceptance.

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

- 1) 20% of the Contract gross value if the Contracting Authority terminates the Contract through the fault of or other circumstances on part of the Company;
- 2) 0.3% of the Contract gross value for each day of delay in the performance of the entire Contract;
- 3) 0.3% of the gross remuneration for the project for each day of delay in the completion of the project;
- 4) 0.3% of the gross remuneration for the project for each day of delay in the removal of defects detected upon the acceptance or during the period of warranty.

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

If the Contracting Authority is not provided by the European Union or banks with the funds necessary to finance the projects specified in the Contract the Contracting Authority may terminate the Contract without any negative consequences for the Contracting Authority.

The contracts are deemed major since their total 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.*