

Current report no. 4/2022

Date: 2022-01-19

ERBUD S.A.

Subject:

Signing a significant Construction Contract with a net value of PLN 33.9 million for the construction of two multi-family residential buildings with the necessary infrastructure in Poznan, at Anny Jantar Street.

Legal basis:

Article 17(1) MAR - confidential information.

Report content:

The Management Board of ERBUD S.A. (Issuer) hereby announces that today it has signed a significant Conditional Construction Contract on the terms listed below:

CONTRACT: CONDITIONAL CONTRACT FOR THE EXECUTION OF AN INVESTMENT IN THE GENERAL CONTRACTOR SYSTEM IN THE "DESIGN AND BUILD" FORMULA, with a deadline for issuing an order to commence work by 31.03.2022

INVESTOR: VANTAGE DEVELOPMENT S.A. with registered office in Wrocław, 44 Dąbrowskiego Street, 50-457 Wrocław

COMPLETION DATE: 19.12.2023

RESIDENTIAL FLOOR AREA: 5 473.30 m²

SCOPE OF WORK: General Contracting in the "design and build" formula of a multi-family residential building with an underground car park and infrastructure, including technical infrastructure, installations, necessary technical equipment, land development and utilities, landscape architecture and greenery

VALUE IN MILLION PLN: PLN 33,944,306.69 net, lump sum remuneration

PLACE OF EXECUTION: Anny Jantar Street in Poznań

PERFORMANCE BOND: 10 % of net contractual remuneration

GUARANTEE FOR REPAIR OF DEFECTS AND VULNERABILITIES: 5 % of the net contractual remuneration

PENALTIES:

1.1. for delay in meeting the Key Terms:

1.1.1. in the design phase - for failure to meet each of the Key Terms in the amount of 0.1% of the portion of the Contract Price for the performance of design services and the development of the Design Documentation specified, for each day of delay in meeting each of these Key Terms;

1.1.2. in the construction phase for failure to meet VII Key Terms and Conditions in the amount of 0.2% (two tenths of one percent) of the Contract Price; for failure to meet VIII Key Terms in the amount of 0.25% (two tenths of one percent) of the Contract Price

"1.2. for delay in removal of Defects identified during the execution of the Works or at any acceptance except the Final Acceptance - in the amount of 0.1% of the Contract Price for each day of delay in meeting the deadline for removal of Defects specified in the Contract"

"1.3. for delay in removal of Material Defects - in the amount of 0.3% of the Contract Price for each day of delay in meeting the XI Key Terms until the date of their removal"

“1.4. for delay in removal of Insignificant Defects - in the amount of 0.1% of the Contract Price for each day of delay in meeting the deadline for removal of Insignificant Defects indicated in the protocol of Final Acceptance until the date of their removal”

“1.5. for delay in removal of any Defect found within the guarantee or warranty period - in the amount of PLN 2,000 (two thousand zlotys), for each day of delay in removing the Defect”

“1.6. for delay in commencing the removal of a Defect having the nature of a failure established within the guarantee or warranty period - in the amount of PLN 3,000 (three thousand zlotys), for each day of delay in commencing the removal of a Defect, counting from the day of delivering the Defect notification card”

“1.7. for withdrawal from the Contract by the Employer or the Contractor for reasons attributable to the Contractor - in the amount of 10% (ten percent) of the Contract Price”

LIMIT OF PENALTIES: 10% of net contractual remuneration

GUARANTEE PERIODS:

1.1. on the building structure - 10 years,

1.2. for roofing and garages with water and thermal insulation - 10 (ten) years

1.3. for external and internal roads - 6 (six) years,

1.4. for other Works - 6 years

1.5. for all equipment - in accordance with the manufacturer's warranty - but not less than 2 years

Branch: Szczecin Branch

Segment Multi-family residential building