

Current report No. 25/2012

Date prepared: 03.04.2012

Issuer's abbreviated name
POLIMEX-MOSTOSTAL

Subject:

Termination of an additional contract with PGE Elektrownia Opole S.A.

Legal basis:

Art. 56 sec. (1) (1) of the Act on Public Offering – confidential information

With reference to the current report no. 8/2012 concerning conclusion of a material contract by RAFAKO S.A., Polimex-Mostostal S.A. and Mostostal Warszawa S.A. ("General Contractor") with PGE Elektrownia Opole S.A. dated 15 February 2012 as well as of an additional contract, the Management Board of Polimex-Mostostal S.A. with its registered office in Warsaw at ul. Czackiego 15/17 ("**the Issuer**") hereby informs that on 3 April 2012 the District Court in Łódź pronounced a sentence by which it dismissed a complaint of Alstom Power Sp. z o.o. and Alstom Boiler Deutschland GmbH ("**Alstom Consortium**") about the decision of the National Chamber of Appeal dated 11 January 2012 dismissing the appeal filed by these entities in the tender for the construction of power units nos. 5 and 6 in Elektrownia Opole. The complaint in question related to invalidation of an action of a PGE Elektrownia Opole S.A. dated 17 November 2011 taken in the public procurement award procedure concerning the "Construction of power units nos. 5 and 6 in PGE Elektrownia Opole S.A.", reference number 2846/09.

In view of the above judgement of the District Court in Łódź dated 3 April 2012, the additional contract with PGE Elektrownia Opole S.A., that has been concluded in case of declaration of invalidity of actions of PGE Elektrownia Opole S.A. dated 17 November 2011, has expired. Declaration of invalidity of actions brought by the PGE Elektrownia Opole S.A. could have caused the invalidation of a contract dated 15 February 2012 in the course of Article 146 of the Act of 29 January 2004 on Public Procurement Law. Pursuant to the provisions of the additional contract each Party was to return to the other Party any money the other Party has paid, for instance, General Contractor had to return to PGE Elektrownia Opole S.A. the total sum of advance payment.

Signatures of persons representing the Company:

Wojciech Wilomski - Director of the Corporate Governance Office