

POLIMEXM: Conclusion of a significant agreement

Legal basis: Article 56 (1) (2) of the Act on Offers – current and periodical information

Message no. 28/2009

The Management Board of Polimex-Mostostal S.A. informs that on 17 June 2009 an Agreement was concluded between Investor represented by:

- a) The State Treasury, represented by the Minister of Culture and National Heritage
- b) The Capital City of Warsaw – The Capital Board of City Development in Warsaw

and Consortium, composed of:

- a) Polimex-Mostostal S.A. (Consortium Leader),
- b) Przedsiębiorstwo Budowlano – Usługowe Interbud-West Sp. z o.o. (Consortium Partner).

The subject matter of the agreement is the construction of the Museum of the History of Polish Jews in Warsaw, together with the auxiliary infrastructure and land development.

The total net contract value amounts to 124.830.850,35 PLN

The gross contract value is: 152 293 637,43 PLN

The realisation date: 17.06.2009r. - 17.03.2012r.

Advance payment: none

Good performance guarantee: 10% of the gross contract value, valid until 17.04.2012.

Fault repair guarantee: 3% of the gross contract value, valid until the end of 36-month period of statutory warranty counted as of the date of signing the final acceptance protocol.

In case of delay in realisation of the agreement the Contractor shall pay the Ordering Party a contractual penalty in the amount equal to 0.02 % of the gross Contract value for each day of delay.

The total amount of the penalty can not exceed 20% of the gross Contract value.

The agreement was not concluded subject to condition or time limit.

The criterion according to which the agreement was deemed significant is the value of equity capital of Polimex-Mostostal S.A.

Legal grounds: § 5 (1) (3) as related to § 9 of the Ordinance of the Minister of Finances dated 19 February 2009 on current and periodical information provided by issuers of securities and prerequisites for deeming information required pursuant to the regulations of a country not being a Member State equivalent (Journal of Laws of 2009, No. 33, item 259)