



No. /2009

Date: 20-11-2009

Subject: Selection of the bid for ‘Construction of the A4 motorway along the section from the Szarów junction to the Brzesko junction 455+900 – 479+000 km’.

Legal grounds: Article 56 (1) (1) of the Act on Public Offer – confidential information

The Management Board of Polimex-Mostostal S.A. informs that on 17 November 2009 a bid was selected in the public procurement proceedings in the course of a limited tender for: **‘Construction of the A4 motorway along the section from the Szarów junction to the Brzesko junction 455+900 – 479+000 km’** by the Ordering Party: Branch Office of the General Directorate for National Roads and Motorways, ul. Mogilska 25, 31-542 Kraków, which was authorised by the General Directorate for National Roads and Motorways, ul. Żelazna 59, 00-484 Warsaw, to conduct the public procurement proceedings.

The bid made by Polimex – Mostostal S.A. together with Doprastav a.s. and Metrostav a.s. was selected as the most advantageous. Polimex – Mostostal S.A. performs the role of the Consortium Leader.

Bid gross price: **778,902,126.78 PLN** (in words: *seven hundred seventy-eight million, nine hundred two thousand and a hundred and twenty-six, point seven eight PLN*)

Net offer price: **638,444,366. 21 PLN** (in words: *six hundred thirty-eight million, four hundred forty-four thousand, three hundred and sixty-six, point two one PLN*)

Participation of Polimex-Mostostal S.A. in the works and remuneration shall constitute: **51 %** of the whole.

Realisation period: **24 months of the Works Commencement Date.**

Decision on the selection of the most advantageous bid is not final. Contractors and other parties, should the legal interest thereof in the obtainment of the order have been or may be subject to prejudice as a result of the Ordering Party infringing provisions of the Act dated 29 January 2004, ‘Public Procurement Law’, shall be entitled to the means of legal protection provided in Section VI thereof. A protest shall be filed within 10 days of the date whereon the Party received or may have received information about any circumstances constituting grounds for filing a protest.

The Ordering Party shall notify the Contractor of the contract conclusion date and the fulfilment of the obligations related thereto in a separate letter. Prior to the conclusion of the contract, an inspection by the President of the Public Procurement Office shall be held.

Legal grounds: Article 56 (1) (1) of the Act on Public Offer and the conditions for introducing financial instruments to the organised trading system, and on public companies, in relation to § 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 as well as terms of deeming information required by the regulations of a non-Member State equivalent (Dz. U. – Journal of Laws of 2009, No. 33, item 259).