

09.05.2022

Current report No. 16/2022

**Subject:**

Conclusion of the substantial **BUILDING WORKS** contract with the net value of PLN 37.989.396,69 in the scope of the project called: "Reconstruction of roads and bike paths in order to reduce emission of exhaust gas around the Old Town on UNESCO list - development of Bulwar Filadelfijski in Toruń."

**Legal basis:**

Article 17 subparagraph 1 MAR - confidential information.

**Contents of the report:**

The Management Board of ONDE S.A. (the Issuer) informs that the Company ONDE S.A. on 9 May 2022 concluded the building works contract in the scope of the project called: "Reconstruction of roads and bike paths in order to reduce emission of exhaust gas around the Old Town on UNESCO list - development of Bulwar Filadelfijski in Toruń" under the below listed conditions:

1. Project Owner: Municipality of Toruń;
2. Total net value of the contract: PLN 37.989.396,69;
3. Subject-matter of the contract: Reconstruction of roads and bike paths in order to reduce emission of exhaust gas around the Old Town on UNESCO list - development of Bulwar Filadelfijski in Toruń.
4. Final time-limit of contract execution: 13 months from the day of contract conclusion.
5. Penalties and responsibility:
  - for delay in execution of works covered by the order - 0.1% of gross remuneration for each day of delay;
  - for delay in elimination of defects found in the period of statutory guarantee and guarantee - 0.03% of gross remuneration for each day of delay from the day defined for elimination of defects;
  - for withdrawal from the Contract for reasons attributable to the Contractor - in the amount of 10% of gross remuneration;
  - for lack of payment of remuneration due to a subcontractor or further subcontractor in the time-limit defined by the Ordering Party in the amount of 10% of the amount of remuneration due to the subcontractor or further subcontractor, respectively;

- for lack of timely payment of remuneration due to a subcontractor or further subcontractor in the amount of 5 % of the amount of remuneration due to the subcontractor or further subcontractor, respectively;

Maximal admissible amount of contractual penalties will not exceed 30% of the gross remuneration.

6. Periods of guarantee: guarantee is given for 5 years, and for the devices built in / installed by the Contractor - the period of guarantee will be pursuant to the period of the manufacturer's guarantee, however, not shorter than 2 years. Statutory guarantee is given for 5 years both for building works and for the devices built in / installed by the Contractor.

The Contract provides for an option of demanding change of remuneration, if according to the building and assembly production price index in total, announced by the Central Office of Statistics (GUS) in 12th (twelfth) month of contract validity, the prices of building and assembly production, as compared to analogical month of the previous year, change by more than 5,5%.

The task is co-financed from the means of the Governmental Fund "Polski Ład": Strategic Investments Program.

ONDE SA  
ul. Wapienna 40, 87-100 Toruń

t. +48 56 612 25 10+11  
t. +48 56 623 20 18

fax +48 56 612 25 12  
sekretariat@onde.pl