

Current report number: 93/2009

Wysogotowo, 11.12.2009

Subject: Conclusion of an agreement on granting contract insurance guarantees within a specified guarantee limit with TUiR "Warta" S.A.

The Management Board of PBG SA informs about taking on the 10th of December, 2009, an information concerning conclusion on the 17th of November, 2009, a contract insurance guarantee agreement within a specified guarantee limit signed between the Towarzystwo Ubezpieczeń i Reasekuracji "WARTA" SA and the Companies from the PBG Capital Group ("Applicants"), which are: PBG SA, Hydrobudowa Polska SA, Infra SA and Hydrobudowa 9 SA. Maximum guarantee limit by virtue of all guarantees granted on behalf of this agreement and other from which TUiR "Warta" SA bears responsibility in the period of this agreement, will not exceed in any time the amount of PLN 150.000.000,00. The limit is renewable.

By virtue of the agreement TUiR "WARTA" SA granted the Applicants a guarantee limit, within which, on behalf of the aforementioned companies of the PBG Capital Group, contract insurance guarantees will be given with an expiry period no longer than:

- a) 3 years for tender and advance payment return guarantees,
- b) 4 years for proper execution guarantees (plus 30 days for securities release),
- c) 5 years for proper fault removal guarantees (plus 15 days for securities release),

whereby the maximum total contract guarantee period for a single contract (in conformity with the above limitations) is 6 years. In the case of guarantees connected with construction contracts co-financed using EU funds, concluded within public tenders and for public Beneficiaries this period is 7 years (plus 45 days for securities release).

This agreement is made for the period from the 17th of November 2009 to the 16th of May 2010 with the possibility of termination by way of a written 30-day notice by either one of the parties.

In relation to the guarantees granted within the limit, the following are payment security interests for any liabilities towards TUIR "WARTA" S.A.:

- 1) A corporate guarantee issued by PBG S.A.,
- 2) Five blank promissory notes with five Exchange bill declarations issued by each of the Companies and warranted by other Companies being the part in this agreement,
- 3) A declaration of willful submission to execution of all Applicants according to art. 777 § 1 point 5 of the Civil Code, by force of which each of the Applicants will submit to execution of TUIR "WARTA" S.A. claims resulting from guarantees given on behalf of the individual Applicant as well as other Applicants who are a party in this agreement.

The remuneration of TUIR "WARTA" S.A. for the guarantees given within the guarantee limit was settled on market terms.

The criterion of deeming this agreement meaningful is the equity capital of the Issuer.

Legal basis:

§5 item 1 point 3 of the 19th of February 2009 Decree concerning current and periodical information handed down by issuers of securities

Signature of an authorized person:

Magdalena Eckert-Boruta