

Annex 11 to the Terms of the Tender

.....
/ header stamp /
name of the tenderer

.....
place date

Designation of the tenderer (name, indicating the name under which
the business operates, the firm in case of commercial law companies)

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Name of the person(s) authorised to represent the tenderer

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.....

STATEMENT OF THE TENDERER

As the person authorised to represent the tenderer:

.....
(name of the tenderer)

I declare that:

in order to secure payment of stipulated penalty (amounting to PLN3,500,000.00) arising from the commitment to renovate, modernise and furnish the subject of the lease, including the Ewa Silo building, with all technological equipment and other elements to ensure the handling rate declared in the agreement, and to adapt the floor part, depending on the planned technology in accordance with the schedule referred to in § 5 of the lease agreement template, before signing the final lease agreement I undertake to submit the proof of:

- a) lodging the security in cash, ie. the proof of bank transfer to the Lessor account with the bank PEKAO S.A. 3rd Branch in Szczecin no. 28 1240 3826 1111 0000 4403 0937,
- b) concluding the contract for bank or insurance guarantee for an amount not less than PLN3,500,000.00 (three million five hundred thousand zlotys), that will be valid for at least six (6) years from the date of conclusion of the lease agreement, and state that the guarantee is irrevocable and unconditional, payable on first demand within a period specified by the Lessor/Beneficiary after receipt of a written request for payment containing a statement that the Lessee has failed to fulfil its obligations to the Lessor/Beneficiary, without having to provide evidence.

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(Signature of the tenderer)