

**FIRST AMENDMENT TO THE  
Baltimore-Washington Construction and Public Employees,  
Laborers' District Council Defined Contribution Retirement Plan**

**(As Amended and Restated Effective January 1, 2015)**

WHEREAS, the Laborers' International Union of North America Mid-Atlantic Region (the "Union") established the Baltimore-Washington Construction and Public Employees, Laborers' District Council Defined Contribution Retirement Plan (the "Plan") effective January 1, 2012, which was most recently amended and restated as of January 1, 2015;

WHEREAS, pursuant to Section 17.1 of the Plan, the Trustees have the right to amend the Plan in any and all respects at any time and from time to time; and

WHEREAS, the IRS has requested certain changes to Plan language as part of the determination letter process.

NOW, THEREFORE, the Trustees do hereby amend the Plan as follows effective January 1, 2015:

1. In Section 1.1, "Labor Regulations Section 2530.200b-2" is replaced with "Labor Regulations Section 2530.200b-2(b) and (c)" in the definition of "Hours of Service."
2. A new sentence is added at the end of the definition of "Plan" in Section 1.1 to read as follows:  
  
"The Plan is a profit sharing plan."
3. A new sentence is added at the end of Section 6.1 to read as follows:  
  
Notwithstanding anything to the contrary in the Trust Agreement, the Trust Fund will not hold any employer securities, as defined in ERISA Section 407(d)(1), and, as a result, the diversification requirements in Code Section 401(a)(35) do not apply.
4. In Section 20.9, "one year" is replaced with "six months".
5. Section 23.2(b) is deleted in its entirety and clarified to read:  
  
(b) Material to be Provided to the Participant. At least 30 days (seven days if the Participant executes the appropriate waiver) and no earlier than 180 days before the Participant's Annuity Starting Date, the Committee shall provide a Participant who has a Prior Pension Account the written notices and explanations as appropriate and as required under Code Sections 401(a)(11) and 417 relating to such Prior Pension Account.

Such notices shall be provided in a manner consistent with applicable Code provisions and shall include a general description of the material features, and an explanation of the relative values of, the optional forms of benefit available under the Plan in a manner that would satisfy the notice requirements of Code Section 417(a)(3). If a Participant receives the written explanation described above prior to his Benefit Starting Date and makes an election (including an appropriate waiver) prior to but less than seven days before his Benefit Starting Date, the distribution of the Prior Pension Account will not commence until at least seven days after the written explanation is provided.

Except as provided in this Amendment No. 1, the Plan, as previously amended and restated effective January 1, 2015, remains unchanged and in full force and effect.

This Amendment No. 1 may be executed in counterparts.

*[signature page follows]*

IN WITNESS WHEREOF, this Amendment No. 1 has been accepted and executed this \_\_\_\_ day of November, 2015.

**UNION TRUSTEES**

\_\_\_\_\_  
Justin Meighan, Chairman

  
Orlando Bonilla

**EMPLOYER TRUSTEES**

\_\_\_\_\_  
George Maloney, Co-Chairman

\_\_\_\_\_  
Cherie Pleasant

\_\_\_\_\_  
James P. McNelis

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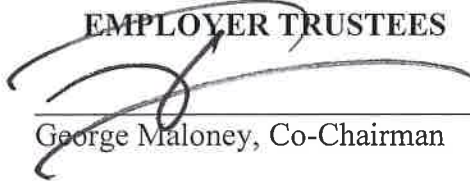
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