Form 5500-SF

Department of the Treasury Internal Revenue Service

Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation

Short Form Annual Return/Report of Small Employee Benefit Plan

This form is required to be filed under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA), and sections 6057(b) and 6058(a) of the Internal Revenue Code (the Code).

OMB Nos. 1210-0110 1210-0089

2012

This Form is Open to Public Inspection

| | | | Complete all entries in ac | cordance with the motion | tions to the Form 550 | , 0-01 . | | | | |
|--------------|---|---|--|--------------------------------|--|---|-------------------|-------------------|--|--|
| | art I | | Identification Information | | | | | | | |
| For | calenda | ar plan year 2012 or fis | scal plan year beginning 01/01/ | /2012 | and ending | 12/31/2 | 2012 | | | |
| Α | This retu | urn/report is for: | a single-employer plan | a multiple-employer pl | an (not multiemployer) | a one-participant plan | | | | |
| В | This retu | urn/report is: | the first return/report | the final return/report | | | | | | |
| | | | an amended return/report | a short plan year return | n/report (less than 12 m | onths) | 1 | | | |
| С | Check b | oox if filing under: | X Form 5558 | automatic extension | | | DFVC progra | m | | |
| | | J | special extension (enter descr | ription) | | | _ | | | |
| P | art II | Basic Plan Info | rmation—enter all requested inf | formation | | | | | | |
| | Name o | | , | | | 1b | Three-digit | | | |
| | | ONSTRUCTION 401(I | K) PLAN | | | | plan number | | | |
| | | | | | | | (PN) • | 001 | | |
| | | | | | | 1c | Effective date of | • | | |
| 0- | | | | | | 01 | 01/01/2009 | | | |
| | | oonsor's name and add ONSTRUCTION COR | dress; include room or suite numbe | er (employer, if for a single- | employer plan) | 2b Employer Identification Number (EIN) 26-2673031 | | | | |
| | | | | | | 20 | (=114) | | | |
| 50 B | ROADW | /AV | | | | 2c Sponsor's telephone number 212-334-0381 | | | | |
| 23RI | D FLOO | R | | | | 2d | Business code (| see instructions) | | |
| NEV | / YORK, | NY 10004 | | | | | 23890 | | | |
| 3a | Plan ad | dministrator's name an | nd address XSame as Plan Spons | sor Name Same as Plan | Sponsor Address | 3b Administrator's EIN | | | | |
| | | | | | | 20 | <u> </u> | | | |
| | | | | | | 30 | Administrator's t | elephone number | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| 4 | If the n | ame and/or EIN of the | nd/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the 4b EIN | | | | | | | |
| | name, | EIN, and the plan nur | mber from the last return/report. | | | _ | | | | |
| _a | a Sponsor's name | | | | 4c PN | | | | | |
| 5a | Total number of participants at the beginning of the plan year | | | 5a | ia | | | | | |
| b | | | at the end of the plan year | | | 5b | | 31 | | |
| С | C Number of participants with account balances as of the end of the plan year (defined benefit plans do not complete this item) | | | | | 5c | | | | |
| 6a | 6a Were all of the plan's assets during the plan year invested in eligible assets? (See instructions.) | | | | | | | X Yes No | | |
| b | | | the annual examination and repor | | | | | | | |
| | | | ? (See instructions on waiver eligib | | | | | X Yes No | | |
| | If you | answered "No" to ei | ther line 6a or line 6b, the plan c | annot use Form 5500-SF | and must instead use | Form | 5500. | | | |
| Ca | ution: A | penalty for the late of | or incomplete filing of this return | n/report will be assessed u | unless reasonable car | use is | established. | | | |
| | | | her penalties set forth in the instruc | | | | | | | |
| | | dule MB completed ar rue, correct, and comp | nd signed by an enrolled actuary, a plete. | is well as the electronic vers | sion of this return/repor | t, and | to the best of my | knowledge and | | |
| | , | | | | | | | | | |
| SIGN HERE | | Filed with authorized/ | valid electronic signature. | 08/29/2013 | CHUCK VOYLES | IUCK VOYLES | | | | |
| HE | KE | Signature of plan a | dministrator | Date | Enter name of individ | ninistrator | | | | |
| SIC | SN N | | | | | | | | | |
| HE | RE | Signature of employer/plan sponsor Date Enter name of individ | | | dual signing as employer or plan sponsor | | | | | |
| Preparer's | | er's name (including firm name, if applicable) and address; include room or suite number (optional) | | | | Preparer's telephone number (optional) | | | | |
| | | | | | | | | | | |
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| | | | | | | | | | | |

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| Part III Financial Information | | | | | | | | | | |
|---|--|-------------|--------------------------------|------------|---------|----------|-----------------|--------|------|--|
| 7 | Plan Assets and Liabilities | | (a) Beginning of Yea | ar | | | (b) End of | ear | | |
| a | Total plan assets | . 7a | | 83358 | | | 40753 | | | |
| | Total plan liabilities | 7b | | | | | | 10100 | | |
| | Net plan assets (subtract line 7b from line 7a) | 7c | 8335 | i8 | | | | 40753 | | |
| | Income, Expenses, and Transfers for this Plan Year | | (a) Amount | | | | (b) Total | | | |
| | Contributions received or receivable from: | | (a) Amount | | | | (b) 10ta | | | |
| | (1) Employers | 8a(1) | | | | | | | | |
| | (2) Participants | 8a(2) | 1377 | 7 1 | | | | | | |
| | (3) Others (including rollovers) | 8a(3) | | | | | | | | |
| b | Other income (loss) | . 8b | 708 | 7087 | | | | | | |
| С | Total income (add lines 8a(1), 8a(2), 8a(3), and 8b) | 8c | | | | | 20858 | | | |
| | Benefits paid (including direct rollovers and insurance premiums to provide benefits) | . 8d | 6346 | 63463 | | | | | | |
| е | Certain deemed and/or corrective distributions (see instructions) | 8e | | | | | | | | |
| f | Administrative service providers (salaries, fees, commissions) | 8f | | | | | | | | |
| g | Other expenses | 8g | | | | | | | | |
| h | Total expenses (add lines 8d, 8e, 8f, and 8g) | 8h | | | | | | 63463 | | |
| | Net income (loss) (subtract line 8h from line 8c) | . 8i | | | | | | -42605 | | |
| | Transfers to (from) the plan (see instructions) | 8j | | | | | | | | |
| Par | t IV Plan Characteristics | <u> </u> | | | | | | | | |
| | If the plan provides pension benefits, enter the applicable pension 2E 2F 2G 2J 3D | feature co | des from the List of Plan Char | acteris | stic Co | odes in | the instruction | s: | | |
| b | If the plan provides welfare benefits, enter the applicable welfare fe | eature cod | es from the List of Plan Chara | cterist | ic Coc | des in t | he instructions | : | | |
| Dawl | W Commission of Oscartions | | | | | | | | | |
| Part | • | | | | | | l . | | | |
| 10 | During the plan year: | 4: | | | Yes | No | An | ount | | |
| a | Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? (See instructions and DOL's Voluntary Fiduciary Correction Program) | | | 10a | | X | | | | |
| | Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 10a.) | | | | | X | | | | |
| С | Was the plan covered by a fidelity bond? | | | 10c | | X | | | | |
| d | Did the plan have a loss, whether or not reimbursed by the plan's or dishonesty? | - | | 10d | | X | | | | |
| е | insurance service or other organization that provides some or all of | of the bene | efits under the plan? (See | 40- | | X | | | | |
| | instructions.) | | | 10e | | X | | | | |
| f | Has the plan failed to provide any benefit when due under the plan | n? | | 10f | | ^ | | | | |
| g | Did the plan have any participant loans? (If "Yes," enter amount a | s of year e | end.) | 10g | X | | | | 7249 | |
| h | If this is an individual account plan, was there a blackout period? (2520.101-3.) | • | | 10h | | X | | | | |
| i | If 10h was answered "Yes," check the box if you either provided the exceptions to providing the notice applied under 29 CFR 2520.10 | | | 10i | | | | | | |
| Part | VI Pension Funding Compliance | | | | | | | | | |
| 11 | Is this a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and complete Schedule SB (Form 5500) and line 11a below) | | | | | | | | | |
| 11a | | | | | | 11a | | | | |
| 12 | Is this a defined contribution plan subject to the minimum funding requirements of section 412 of the Code or section 302 of ERISA? | | | | | | X No | | | |
| | (If "Yes," complete line 12a or lines 12b, 12c, 12d, and 12e below, as applicable.) | | | | | | | | | |
| a | a If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions, and enter the date of the letter ruling granting the waiver | | | | | | ng | | | |
| If you completed line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line 13. | | | | | | | | | | |
| b Enter the minimum required contribution for this plan year | | | | | | | | | | |

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|------|---|----------------------|------------|---------------------|--|--|--|
| | Enter the amount contributed by the employer to the plan for this plan year | 12c | | | | | |
| d | Subtract the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the left of a negative amount) | 12d | | | | | |
| е | Will the minimum funding amount reported on line 12d be met by the funding deadline? | | Yes | No N/A | | | |
| Part | VII Plan Terminations and Transfers of Assets | | | | | | |
| 13a | Has a resolution to terminate the plan been adopted in any plan year? | | Yes X No | | | | |
| | If "Yes," enter the amount of any plan assets that reverted to the employer this year | . 13a | | | | | |
| b | Were all the plan assets distributed to participants or beneficiaries, transferred to another plan, or brought under the of the PBGC? | control | Yes X No | | | | |
| С | If during this plan year, any assets or liabilities were transferred from this plan to another plan(s), identify the plan(s) to which assets or liabilities were transferred. (See instructions.) | | | | | | |
| 1 | 3c(1) Name of plan(s): | 13c(2) EIN(s) | | 13c(3) PN(s) | | | |
| Part | VIII Trust Information (optional) | | | | | | |
| | Name of trust | 14b ⊤ | rust's EIN | | | | |