

Form 5500 Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Annual Return/Report of Employee Benefit Plan This form is required to be filed for employee benefit plans 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). ▶ Complete all entries in accordance with the instructions to the Form 5500.	OMB Nos. 1210-0110 1210-0089 2021 This Form is Open to Public Inspection
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Part I	Annual Report Identification Information
For calendar plan year 2021 or fiscal plan year beginning <u>01/01/2021</u> and ending <u>12/31/2021</u>	
A This return/report is for:	☐ a multiemployer plan ☐ a multiple-employer plan (Filers checking this box must attach a list of participating employer information in accordance with the form instructions.) ☒ a single-employer plan ☐ a DFE (specify) _____
B This return/report is:	☐ the first return/report ☐ the final return/report ☒ an amended return/report ☐ a short plan year return/report (less than 12 months)
C If the plan is a collectively-bargained plan, check here.	☐
D Check box if filing under:	☒ Form 5558 ☐ automatic extension ☐ the DFVC program ☐ special extension (enter description)
E If this is a retroactively adopted plan permitted by SECURE Act section 201, check here.	☐

Part II	Basic Plan Information—enter all requested information										
1a Name of plan <u>SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(K) SAVINGS PLAN</u>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">1b Three-digit plan number (PN) ▶</td> <td style="width: 20%; text-align: center;"><u>001</u></td> </tr> <tr> <td colspan="2">1c Effective date of plan <u>01/01/2004</u></td> </tr> <tr> <td colspan="2">2b Employer Identification Number (EIN) <u>86-0455988</u></td> </tr> <tr> <td colspan="2">2c Plan Sponsor's telephone number <u>602-323-2800</u></td> </tr> <tr> <td colspan="2">2d Business code (see instructions) <u>237310</u></td> </tr> </table>	1b Three-digit plan number (PN) ▶	<u>001</u>	1c Effective date of plan <u>01/01/2004</u>		2b Employer Identification Number (EIN) <u>86-0455988</u>		2c Plan Sponsor's telephone number <u>602-323-2800</u>		2d Business code (see instructions) <u>237310</u>	
1b Three-digit plan number (PN) ▶	<u>001</u>										
1c Effective date of plan <u>01/01/2004</u>											
2b Employer Identification Number (EIN) <u>86-0455988</u>											
2c Plan Sponsor's telephone number <u>602-323-2800</u>											
2d Business code (see instructions) <u>237310</u>											
2a Plan sponsor's name (employer, if for a single-employer plan) Mailing address (include room, apt., suite no. and street, or P.O. Box) City or town, state or province, country, and ZIP or foreign postal code (if foreign, see instructions) <u>SUNLAND ASPHALT & CONSTRUCTION, LLC</u> <u>1625 E NORTHERN AVE.</u> <u>PHOENIX, AZ 85020</u> <u>1625 E NORTHERN AVENUE</u> <u>PHOENIX, AZ 85020</u>											

Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including accompanying schedules, statements and attachments, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

SIGN HERE	Filed with authorized/valid electronic signature.	11/15/2022	JESSICA PERKINS
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE			
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

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Form 5500 (2021)
v. 210624

3a Plan administrator's name and address ☒ Same as Plan Sponsor		3b Administrator's EIN	
4 If the name and/or EIN of the plan sponsor or the plan name has changed since the last return/report filed for this plan, enter the plan sponsor's name, EIN, the plan name and the plan number from the last return/report: a Sponsor's name c Plan Name		3c Administrator's telephone number 4b EIN 4d PN	
5 Total number of participants at the beginning of the plan year		5	471
6 Number of participants as of the end of the plan year unless otherwise stated (welfare plans complete only lines 6a(1) , 6a(2) , 6b , 6c , and 6d).			
a(1) Total number of active participants at the beginning of the plan year.....		6a(1)	438
a(2) Total number of active participants at the end of the plan year		6a(2)	749
b Retired or separated participants receiving benefits.....		6b	1
c Other retired or separated participants entitled to future benefits		6c	233
d Subtotal. Add lines 6a(2) , 6b , and 6c		6d	983
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits.		6e	0
f Total. Add lines 6d and 6e		6f	983
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)		6g	589
h Number of participants who terminated employment during the plan year with accrued benefits that were less than 100% vested		6h	11
7 Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item).....		7	
8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristics Codes in the instructions: 2E 2F 2G 2J 2K 2S 2T 3D 3H			
b If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristics Codes in the instructions:			
9a Plan funding arrangement (check all that apply) (1) ☐ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ Trust (4) ☐ General assets of the sponsor		9b Plan benefit arrangement (check all that apply) (1) ☐ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ Trust (4) ☐ General assets of the sponsor	
10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)			
a Pension Schedules (1) ☒ R (Retirement Plan Information) (2) ☐ MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary (3) ☐ SB (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary		b General Schedules (1) ☒ H (Financial Information) (2) ☐ I (Financial Information – Small Plan) (3) ☐ <u>0</u> A (Insurance Information) (4) ☒ C (Service Provider Information) (5) ☒ D (DFE/Participating Plan Information) (6) ☐ G (Financial Transaction Schedules)	

Part III Form M-1 Compliance Information (to be completed by welfare benefit plans)

11a If the plan provides welfare benefits, was the plan subject to the Form M-1 filing requirements during the plan year? (See instructions and 29 CFR 2520.101-2.) ☐ Yes ☐ No

If "Yes" is checked, complete lines 11b and 11c.

11b Is the plan currently in compliance with the Form M-1 filing requirements? (See instructions and 29 CFR 2520.101-2.) ☐ Yes ☐ No

11c Enter the Receipt Confirmation Code for the 2021 Form M-1 annual report. If the plan was not required to file the 2021 Form M-1 annual report, enter the Receipt Confirmation Code for the most recent Form M-1 that was required to be filed under the Form M-1 filing requirements. (Failure to enter a valid Receipt Confirmation Code will subject the Form 5500 filing to rejection as incomplete.)

Receipt Confirmation Code _____

SCHEDULE C (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Service Provider Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ▶ File as an attachment to Form 5500.	OMB No. 1210-0110
		2021
		This Form is Open to Public Inspection.

For calendar plan year 2021 or fiscal plan year beginning 01/01/2021 and ending 12/31/2021		
A Name of plan SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(K) SAVINGS PLAN	B Three-digit plan number (PN) ▶	001
C Plan sponsor's name as shown on line 2a of Form 5500 SUNLAND ASPHALT & CONSTRUCTION, LLC	D Employer Identification Number (EIN) 86-0455988	

Part I	Service Provider Information (see instructions)
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You must complete this Part, in accordance with the instructions, to report the information required for **each person** who received, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of monetary value) in connection with services rendered to the plan or the person's position with the plan during the plan year. If a person received **only** eligible indirect compensation for which the plan received the required disclosures, you are required to answer line 1 but are not required to include that person when completing the remainder of this Part.

1 Information on Persons Receiving Only Eligible Indirect Compensation

- a** Check "Yes" or "No" to indicate whether you are excluding a person from the remainder of this Part because they received only eligible indirect compensation for which the plan received the required disclosures (see instructions for definitions and conditions)..... ☒ Yes ☐ No
- b** If you answered line 1a "Yes," enter the name and EIN or address of each person providing the required disclosures for the service providers who received only eligible indirect compensation. Complete as many entries as needed (see instructions).

(b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL
04-2647786

(b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation

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2. Information on Other Service Providers Receiving Direct or Indirect Compensation. Except for those persons for whom you answered "Yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

(a) Enter name and EIN or address (see instructions)

CURAFIN

85-1065038

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
27	INVESTMENT ADVISOR	24424	Yes ☐ No ☒	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

FIDELITY INVESTMENTS INSTITUTIONAL

04-2647786

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
37 60 64 65	RECORDKEEPER	310	Yes ☒ No ☐	Yes ☒ No ☐	0	Yes ☒ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

2. Information on Other Service Providers Receiving Direct or Indirect Compensation. Except for those persons for whom you answered "Yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

Part I Service Provider Information (continued)

3. If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AQR LGCP DEF STYLE I - ALPS FUND S 20-3247785	0.10%	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
DL TOTAL RTN BOND I - U.S. BANCORP 615 EAST MICHIGAN STREET, MILWAUKEE, WISCONSIN 53202 MILWAUKEE, WI 53201	0.15%	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
GS GQG INTL OPPS IS - GOLDMAN SACH 13-5108880	0.12%	

Part I Service Provider Information (continued)

3. If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
GUGHM LTD DUR INST - MUFG INVESTOR 805 KING FARM BOULEVARD, SUITE 600 ROCKVILLE, MD 20850	0.10%	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
HARBOR CAP APP INST - HARBOR SERVI 34-1953399	0.10%	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
METWEST TOT RTN BD I - BNY MELLON 301 BELLEVUE PARKWAY WILMINGTON, DE 19809	0.10%	

Part I Service Provider Information (continued)

3. If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
FIDELITY INVESTMENTS INSTITUTIONAL	60	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
RBC EMRG MKTS EQ I - U.S. BANK GLO 615 EAST MICHIGAN STREET MILWAUKEE, WI 53202	0.15%	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	

Part II Service Providers Who Fail or Refuse to Provide Information

4 Provide, to the extent possible, the following information for each service provider who failed or refused to provide the information necessary to complete this Schedule.

(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide

Part III Termination Information on Accountants and Enrolled Actuaries (see instructions)
(complete as many entries as needed)

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

SCHEDULE D (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration		DFE/Participating Plan Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ▶ File as an attachment to Form 5500.		OMB No. 1210-0110 2021 This Form is Open to Public Inspection.	
For calendar plan year 2021 or fiscal plan year beginning 01/01/2021 and ending 12/31/2021					
A Name of plan SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(K) SAVINGS PLAN				B Three-digit plan number (PN) ▶ 001	
C Plan or DFE sponsor's name as shown on line 2a of Form 5500 SUNLAND ASPHALT & CONSTRUCTION, LLC				D Employer Identification Number (EIN) 86-0455988	
Part I Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs) (Complete as many entries as needed to report all interests in DFEs)					
a Name of MTIA, CCT, PSA, or 103-12 IE: PIMCO STABLE INC 1					
b Name of sponsor of entity listed in (a): SEI TRUST COMPANY					
c EIN-PN 45-4367155-036		d Entity code C		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 0	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	

For Paperwork Reduction Act Notice, see the Instructions for Form 5500.

Schedule D (Form 5500) 2021 v. 201209

a Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)

Part II Information on Participating Plans (to be completed by DFEs)

(Complete as many entries as needed to report all participating plans)

a Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
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plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN

SCHEDULE H (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Financial Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the Internal Revenue Code (the Code). ► File as an attachment to Form 5500.	OMB No. 1210-0110 2021 This Form is Open to Public Inspection
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For calendar plan year 2021 or fiscal plan year beginning <u>01/01/2021</u> and ending <u>12/31/2021</u>		
A Name of plan <u>SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(K) SAVINGS PLAN</u>	B Three-digit plan number (PN) ►	<u>001</u>
C Plan sponsor's name as shown on line 2a of Form 5500 <u>SUNLAND ASPHALT & CONSTRUCTION, LLC</u>	D Employer Identification Number (EIN) <u>86-0455988</u>	

Part I	Asset and Liability Statement
---------------	--------------------------------------

1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. **Round off amounts to the nearest dollar.** MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.

Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash.....	1a	0	0
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)	0	0
(2) Participant contributions.....	1b(2)	0	0
(3) Other	1b(3)	0	0
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)	0	644226
(2) U.S. Government securities	1c(2)	0	0
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)	0	0
(B) All other	1c(3)(B)	0	0
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)	0	0
(B) Common	1c(4)(B)	0	0
(5) Partnership/joint venture interests	1c(5)	0	0
(6) Real estate (other than employer real property)	1c(6)	0	0
(7) Loans (other than to participants)	1c(7)	0	0
(8) Participant loans	1c(8)	141852	346635
(9) Value of interest in common/collective trusts.....	1c(9)	197642	0
(10) Value of interest in pooled separate accounts	1c(10)	0	0
(11) Value of interest in master trust investment accounts.....	1c(11)	0	0
(12) Value of interest in 103-12 investment entities	1c(12)	0	0
(13) Value of interest in registered investment companies (e.g., mutual funds)	1c(13)	9016494	27679474
(14) Value of funds held in insurance company general account (unallocated contracts).....	1c(14)	0	0
(15) Other.....	1c(15)	0	0

1d Employer-related investments:		(a) Beginning of Year	(b) End of Year
(1) Employer securities.....	1d(1)	0	0
(2) Employer real property.....	1d(2)	0	0
e Buildings and other property used in plan operation	1e	0	0
f Total assets (add all amounts in lines 1a through 1e)	1f	9355988	28670335

Liabilities

g Benefit claims payable	1g	0	0
h Operating payables	1h	0	0
i Acquisition indebtedness.....	1i	0	0
j Other liabilities.....	1j	0	0
k Total liabilities (add all amounts in lines 1g through 1j)	1k	0	0

Net Assets

l Net assets (subtract line 1k from line 1f)	1l	9355988	28670335
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Part II Income and Expense Statement

2 Plan income, expenses, and changes in net assets for the year. Include all income and expenses of the plan, including any trust(s) or separately maintained fund(s) and any payments/receipts to/from insurance carriers. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 2a, 2b(1)(E), 2e, 2f, and 2g.

Income

		(a) Amount	(b) Total
a Contributions:			
(1) Received or receivable in cash from: (A) Employers	2a(1)(A)	815544	
(B) Participants	2a(1)(B)	1732686	
(C) Others (including rollovers).....	2a(1)(C)	3085581	
(2) Noncash contributions.....	2a(2)	0	5633811
(3) Total contributions. Add lines 2a(1)(A) , (B) , (C) , and line 2a(2)	2a(3)		
b Earnings on investments:			
(1) Interest:			
(A) Interest-bearing cash (including money market accounts and certificates of deposit).....	2b(1)(A)	255	
(B) U.S. Government securities.....	2b(1)(B)	0	
(C) Corporate debt instruments	2b(1)(C)	0	
(D) Loans (other than to participants)	2b(1)(D)	0	
(E) Participant loans.....	2b(1)(E)	14540	
(F) Other	2b(1)(F)	0	
(G) Total interest. Add lines 2b(1)(A) through (F)	2b(1)(G)		14795
(2) Dividends: (A) Preferred stock.....	2b(2)(A)	0	
(B) Common stock	2b(2)(B)	0	
(C) Registered investment company shares (e.g. mutual funds).....	2b(2)(C)	577377	
(D) Total dividends. Add lines 2b(2)(A) , (B) , and (C)	2b(2)(D)		577377
(3) Rents	2b(3)		0
(4) Net gain (loss) on sale of assets: (A) Aggregate proceeds	2b(4)(A)	0	
(B) Aggregate carrying amount (see instructions).....	2b(4)(B)	0	
(C) Subtract line 2b(4)(B) from line 2b(4)(A) and enter result	2b(4)(C)		
(5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)	0	
(B) Other	2b(5)(B)	0	
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		0

		(a) Amount	(b) Total
(6) Net investment gain (loss) from common/collective trusts.....	2b(6)		564
(7) Net investment gain (loss) from pooled separate accounts.....	2b(7)		0
(8) Net investment gain (loss) from master trust investment accounts.....	2b(8)		0
(9) Net investment gain (loss) from 103-12 investment entities.....	2b(9)		0
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds).....	2b(10)		1392553
c Other income.....	2c		0
d Total income. Add all income amounts in column (b) and enter total.....	2d		7619100
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers.....	2e(1)	1424943	
(2) To insurance carriers for the provision of benefits.....	2e(2)	0	
(3) Other.....	2e(3)	0	
(4) Total benefit payments. Add lines 2e(1) through (3).....	2e(4)		1424943
f Corrective distributions (see instructions).....	2f		40901
g Certain deemed distributions of participant loans (see instructions).....	2g		12333
h Interest expense.....	2h		0
i Administrative expenses: (1) Professional fees.....	2i(1)	0	
(2) Contract administrator fees.....	2i(2)	0	
(3) Investment advisory and management fees.....	2i(3)	0	
(4) Other.....	2i(4)	24734	
(5) Total administrative expenses. Add lines 2i(1) through (4).....	2i(5)		24734
j Total expenses. Add all expense amounts in column (b) and enter total.....	2j		1502911
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d.....	2k		6116189
l Transfers of assets:			
(1) To this plan.....	2l(1)		13198158
(2) From this plan.....	2l(2)		0

Part III Accountant's Opinion

3 Complete lines 3a through 3c if the opinion of an independent qualified public accountant is attached to this Form 5500. Complete line 3d if an opinion is not attached.

a The attached opinion of an independent qualified public accountant for this plan is (see instructions):

(1) ☒ Unmodified (2) ☐ Qualified (3) ☐ Disclaimer (4) ☐ Adverse

b Check the appropriate box(es) to indicate whether the IQPA performed an ERISA section 103(a)(3)(C) audit. Check both boxes (1) and (2) if the audit was performed pursuant to both 29 CFR 2520.103-8 and 29 CFR 2520.103-12(d). Check box (3) if pursuant to neither.

(1) ☒ DOL Regulation 2520.103-8 (2) ☐ DOL Regulation 2520.103-12(d) (3) ☐ neither DOL Regulation 2520.103-8 nor DOL Regulation 2520.103-12(d).

c Enter the name and EIN of the accountant (or accounting firm) below:

(1) Name: **MAYER HOFFMAN MCCANN PC**

(2) EIN: **43-1947695**

d The opinion of an independent qualified public accountant is **not attached** because:

(1) ☐ This form is filed for a CCT, PSA, or MTIA. (2) ☐ It will be attached to the next Form 5500 pursuant to 29 CFR 2520.104-50.

Part IV Compliance Questions

4 CCTs and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete lines 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete lines 4j and 4l. MTIAs also do not complete line 4l.

During the plan year:

a Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.).....

	Yes	No	Amount
4a	X		40496

	Yes	No	Amount
b Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.)			
4b		X	
c Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)			
4c		X	
d Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.)			
4d		X	
e Was this plan covered by a fidelity bond?	X		1000000
f Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?		X	
4f		X	
g Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser?		X	
4g		X	
h Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?		X	
4h		X	
i Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.)	X		
4i	X		
j Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked and see instructions for format requirements.)		X	
4j		X	
k Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?		X	
4k		X	
l Has the plan failed to provide any benefit when due under the plan?		X	
4l		X	
m If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)		X	
4m		X	
n If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.		X	
4n		X	

5a Has a resolution to terminate the plan been adopted during the plan year or any prior plan year? ☐ Yes ☒ No
If "Yes," enter the amount of any plan assets that reverted to the employer this year _____.

5b 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.)

5b(1) Name of plan(s)	5b(2) EIN(s)	5b(3) PN(s)

5c Was the plan a defined benefit plan covered under the PBGC insurance program at any time during this plan year? (See ERISA section 4021 and instructions.) ☐ Yes ☐ No ☐ Not determined
If "Yes" is checked, enter the My PAA confirmation number from the PBGC premium filing for this plan year _____.

SCHEDULE R (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Retirement Plan Information This schedule is required to be filed under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6058(a) of the Internal Revenue Code (the Code). ► File as an attachment to Form 5500.	OMB No. 1210-0110 2021 This Form is Open to Public Inspection.
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For calendar plan year 2021 or fiscal plan year beginning 01/01/2021 and ending 12/31/2021

A Name of plan SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(K) SAVINGS PLAN	B Three-digit plan number (PN) ► 001
C Plan sponsor's name as shown on line 2a of Form 5500 SUNLAND ASPHALT & CONSTRUCTION, LLC	D Employer Identification Number (EIN) 86-0455988

Part I	Distributions
--------	---------------

All references to distributions relate only to payments of benefits during the plan year.

1 Total value of distributions paid in property other than in cash or the forms of property specified in the instructions.....	1
2 Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits): EIN(s): 04-6568107 Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.	
3 Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year	3

Part II	Funding Information (If the plan is not subject to the minimum funding requirements of section 412 of the Internal Revenue Code or ERISA section 302, skip this Part.)
---------	--

4 Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)? If the plan is a defined benefit plan, go to line 8.	☐ Yes ☐ No ☐ N/A
5 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 ruling letter granting the waiver. Date: Month _____ Day _____ Year _____ If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.	
6 a Enter the minimum required contribution for this plan year (include any prior year accumulated funding deficiency not waived)	6a
b Enter the amount contributed by the employer to the plan for this plan year	6b
c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount).....	6c
If you completed line 6c, skip lines 8 and 9.	
7 Will the minimum funding amount reported on line 6c be met by the funding deadline?	☐ Yes ☐ No ☐ N/A
8 If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure or other authority providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change?	☐ Yes ☐ No ☐ N/A

Part III	Amendments
----------	------------

9 If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box. If no, check the "No" box.....	☐ Increase ☐ Decrease ☐ Both ☐ No
--	--

Part IV	ESOPs (see instructions). If this is not a plan described under section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.
---------	--

10 Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?	☐ Yes ☐ No
11 a Does the ESOP hold any preferred stock?	☐ Yes ☐ No
b If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan? (See instructions for definition of "back-to-back" loan.)	☐ Yes ☐ No
12 Does the ESOP hold any stock that is not readily tradable on an established securities market?	☐ Yes ☐ No

For Paperwork Reduction Act Notice, see the Instructions for Form 5500.

Schedule R (Form 5500) 2021
v. 201209

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

13 Enter the following information for each employer that contributed more than 5% of total contributions to the plan during the plan year (measured in dollars). See instructions. *Complete as many entries as needed to report all applicable employers.*

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

- 14** Enter the number of deferred vested and retired participants (inactive participants), as of the beginning of the plan year, whose contributing employer is no longer making contributions to the plan for:

a The current plan year. Check the box to indicate the counting method used to determine the number of inactive participants: ☐ last contributing employer ☐ alternative ☐ reasonable approximation (see instructions for required attachment).....

14a

b The plan year immediately preceding the current plan year. ☐ Check the box if the number reported is a change from what was previously reported (see instructions for required attachment).....

14b

c The second preceding plan year. ☐ Check the box if the number reported is a change from what was previously reported (see instructions for required attachment).....

14c

- 15** Enter the ratio of the number of participants under the plan on whose behalf no employer had an obligation to make an employer contribution during the current plan year to:

a The corresponding number for the plan year immediately preceding the current plan year.....

15a

b The corresponding number for the second preceding plan year

15b

- 16** Information with respect to any employers who withdrew from the plan during the preceding plan year:

a Enter the number of employers who withdrew during the preceding plan year

16a

b If line 16a is greater than 0, enter the aggregate amount of withdrawal liability assessed or estimated to be assessed against such withdrawn employers.....

16b

- 17** If assets and liabilities from another plan have been transferred to or merged with this plan during the plan year, check box and see instructions regarding supplemental information to be included as an attachment..... ☐

Part VI Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans

- 18** If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole or in part) of liabilities to such participants and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see instructions regarding supplemental information to be included as an attachment..... ☐

- 19** If the total number of participants is 1,000 or more, complete lines (a) through (c)

a Enter the percentage of plan assets held as:

Stock: _____% Investment-Grade Debt: _____% High-Yield Debt: _____% Real Estate: _____% Other: _____%

b Provide the average duration of the combined investment-grade and high-yield debt:

☐ 0-3 years ☐ 3-6 years ☐ 6-9 years ☐ 9-12 years ☐ 12-15 years ☐ 15-18 years ☐ 18-21 years ☐ 21 years or more

c What duration measure was used to calculate line 19(b)?

☐ Effective duration ☐ Macaulay duration ☐ Modified duration ☐ Other (specify): _____

- 20 PBGC missed contribution reporting requirements.** If this is a multiemployer plan or a single-employer plan that is not covered by PBGC, skip line 20.

a Is the amount of unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40 greater than zero? ☐ Yes ☐ No

b If line 20a is "Yes," has PBGC been notified as required by ERISA sections 4043(c)(5) and/or 303(k)(4)? Check the applicable box:

☐ Yes.

☐ No. Reporting was waived under 29 CFR 4043.25(c)(2) because contributions equal to or exceeding the unpaid minimum required contribution were made by the 30th day after the due date.

☐ No. The 30-day period referenced in 29 CFR 4043.25(c)(2) has not yet ended, and the sponsor intends to make a contribution equal to or exceeding the unpaid minimum required contribution by the 30th day after the due date.

☐ No. Other. Provide explanation _____

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

**FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES**

December 31, 2021 and 2020

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

**FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES**

December 31, 2021 and 2020

INDEX

	<u>Pages</u>
INDEPENDENT AUDITORS' REPORT	1 - 4
FINANCIAL STATEMENTS	
Statements of Net Assets Available for Benefits	5
Statement of Changes in Net Assets Available for Benefits	6
Notes to Financial Statements	7 - 12
SUPPLEMENTAL SCHEDULES	
Schedule H, Line 4(a) – Schedule of Delinquent Participant Contributions	13
Schedule H, Line 4(i) – Schedule of Assets (Held At End of Year)	14



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INDEPENDENT AUDITORS' REPORT

To the Trustee and Plan Management of

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

Scope and Nature of the ERISA Section 103(a)(3)(C) Audit for the 2021 Financial Statements

We have performed the audit of the financial statements of ***Sunland Asphalt and Construction Employees 401(k) Savings Plan*** (the "Plan"), an employee benefit plan subject to the Employee Retirement Income Security Act of 1974 ("ERISA"), as permitted by ERISA Section 103(a)(3)(C) ("ERISA Section 103(a)(3)(C) audit"). The financial statements comprise the statement of net assets available for benefits as of December 31, 2021, and the related statement of changes in net assets available for benefits for the year then ended, and the related notes to the financial statements.

Management, having determined it is permissible in the circumstances, has elected to have the audit of the 2021 financial statements performed in accordance with ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. As permitted by ERISA Section 103(a)(3)(C), our audit need not extend to any statements or information related to assets held for investment of the Plan ("investment information") by a bank or similar institution or insurance carrier that is regulated, supervised, and subject to periodic examination by a state or federal agency, provided that the statements or information regarding assets so held are prepared and certified to by the bank or similar institution or insurance carrier in accordance with 29 CFR 2520.103-5 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA ("qualified institution").

Management has obtained a certification from a qualified institution as of and for the year ended December 31, 2021, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

Opinion on the 2021 Financial Statements

In our opinion, based on our audit and on the procedures performed as described in the Auditors' Responsibilities for the Audit of the 2021 Financial Statements section:

- The amounts and disclosures in the accompanying 2021 financial statements, other than those agreed to or derived from the certified investment information, are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.
- The information in the accompanying 2021 financial statements related to assets held by and certified to by a qualified institution agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

Basis for Opinion on the 2021 Financial Statements

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("GAAS"). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the 2021 Financial Statements section of our report. We are required to be independent of the Plan and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our ERISA Section 103(a)(3)(C) audit opinion.

Responsibilities of Management for the 2021 Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. Management's election of the ERISA Section 103(a)(3)(C) audit does not affect management's responsibility for the financial statements.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern within one year after the date that the 2021 financial statements are issued or available to be issued.

Management is also responsible for maintaining a current plan instrument, including all plan amendments, administering the Plan, and determining that the Plan's transactions that are presented and disclosed in the financial statements are in conformity with the Plan's provisions, including maintaining sufficient records with respect to each of the participants, to determine the benefits due or which may become due to such participants.

Auditors' Responsibilities for the Audit of the 2021 Financial Statements

Except as described in the Scope and Nature of the ERISA Section 103(a)(3)(C) Audit for the 2021 Financial Statements section of our report, our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on these financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Plan's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern for a reasonable period of time.

Our audit did not extend to the certified investment information, except for obtaining and reading the certification, comparing the certified investment information with the related information presented and disclosed in the 2021 financial statements, and reading the disclosures relating to the certified investment information to assess whether they are in accordance with the presentation and disclosure requirements of accounting principles generally accepted in the United States of America.

Accordingly, the objective of an ERISA Section 103(a)(3)(C) audit is not to express an opinion about whether the financial statements as a whole are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matter - Supplemental Schedules Required by ERISA

The supplemental schedules listed in the accompanying index are presented for purposes of additional analysis and are not a required part of the financial statements but are supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information included in the supplemental schedules, other than that agreed to or derived from the certified investment information, has been subjected to auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS. For information included in the supplemental schedule that agreed to or is derived from the certified investment information, we compared such information to the related certified investment information.

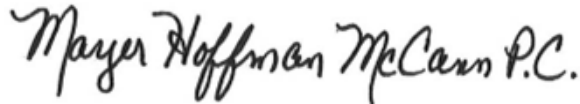
In forming our opinion on the supplemental schedules, we evaluated whether the supplemental schedules, other than the information agreed to or derived from the certified investment information, including its form and content, is presented in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.

In our opinion:

- The form and content of the supplemental schedules, other than the information in the supplemental schedules that agreed to or is derived from the certified investment information, are presented, in all material respects, in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.
- The information in the supplemental schedules related to assets held by and certified to by a qualified institution, agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

Other Matter - Auditors' Report on the 2020 Financial Statements

We were engaged to audit the 2020 financial statements of the Plan. As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA, the plan administrator instructed us not to perform and we did not perform any auditing procedures with respect to the information certified by the qualified institution. In our report dated October 14, 2021, we indicated that (a) because of the significance of the information that we did not audit, we were not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion and accordingly, we did not express an opinion on the 2020 financial statements, and (b) the form and content of the information included in the 2020 financial statements other than that derived from the certified information were presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.

A handwritten signature in black ink that reads "Mayer Hoffman McCann P.C." in a cursive, flowing script.

November 14, 2022

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
ASSETS		
INVESTMENTS		
Common/collective trust	\$ -	\$ 197,642
Mutual funds	<u>28,323,700</u>	<u>9,016,494</u>
Total investments	<u>28,323,700</u>	<u>9,214,136</u>
RECEIVABLES		
Participant contributions	39,508	21,484
Employer contributions	12,147	-
Notes receivable from participants	<u>346,635</u>	<u>141,852</u>
Total receivables	<u>398,290</u>	<u>163,336</u>
Total assets	28,721,990	9,377,472
LIABILITIES		
Excess contributions payable	<u>90,848</u>	<u>39,685</u>
NET ASSETS AVAILABLE FOR BENEFITS	<u>\$ 28,631,142</u>	<u>\$ 9,337,787</u>

See Notes to Financial Statements

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

Year Ended December 31, 2021

ADDITIONS

Contributions:

Participant contributions	\$ 1,660,756
Employer contributions	827,692
Rollover contributions	<u>3,100,317</u>
Total contributions	<u>5,588,765</u>

Investment income:

Interest and dividends	562,002
Net appreciation in fair value of investments	<u>1,393,117</u>
Total investment income	<u>1,955,119</u>

Interest income on notes receivable from participants	<u>14,540</u>
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TOTAL ADDITIONS	<u>7,558,424</u>
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DEDUCTIONS

Benefits paid to participants	1,438,491
Administrative expenses	<u>24,736</u>

TOTAL DEDUCTIONS	<u>1,463,227</u>
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NET CHANGE IN NET ASSETS AVAILABLE FOR BENEFITS	6,095,197
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NET ASSETS AVAILABLE FOR BENEFITS, BEGINNING OF YEAR	<u>9,337,787</u>
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NET ASSETS AVAILABLE FOR BENEFITS, END OF YEAR BEFORE TRANSFER	15,432,984
--	------------

TRANSFER OF ASSETS FROM ANOTHER PLAN	<u>13,198,158</u>
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NET ASSETS AVAILABLE FOR BENEFITS, END OF YEAR	<u>\$ 28,631,142</u>
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SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(1) Description of the Plan

The following description of the ***Sunland Asphalt and Construction Employees 401(k) Savings Plan*** (the "Plan") provides only general information. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

- A. General** - The Plan is a defined contribution plan adopted January 1, 2004. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 ("ERISA").

Employees of Sunland Asphalt and Construction, Inc. (the "Company") who have completed 60 days of employment and are 18 years of age are eligible to participate in the Plan. Employees of Solterra Materials, LLC, a majority owned subsidiary of the Company, are also eligible to participate in the Plan upon meeting the eligibility requirements.

On January 13, 2021 the Company was purchased by Huron Capital ("Huron"), a private equity company and on January 20, 2021 Huron, through the Company, purchased the minority interest (40%) of Solterra Materials, LLC. As part of these transactions, the Company changed its name to Sunland Asphalt & Construction, LLC.

On March 3, 2021, Huron purchased Ace Asphalt of Arizona, Inc. and merged it with Sunland Asphalt & Construction, LLC. Subsequent to the purchase and merger of Ace Asphalt with the Company, the Ace Asphalt of Arizona, Inc. 401(k) Plan ("Ace Plan") was merged into the Plan in September 2021, and approximately \$13.2 million of assets related to the Ace Plan were transferred to the Plan.

Employees may enter the Plan on the first day of each month following the month eligibility requirements are met.

- B. Contributions** - Participants may elect to contribute up to 75% of eligible compensation, or the maximum amount allowed by law, whichever is less, as a pretax deferral. The Company may also make discretionary qualified matching contributions on behalf of participants as determined by the Company. For 2021, the Company approved an employer match of 50% of employee contributions, up to 6%.
- C. Participant accounts** - Each participant's account is credited with the participant's contribution, the Company's discretionary matching contributions, allocations of the Company's discretionary qualified matching contributions, and allocations of Plan expenses, earnings or losses, as defined. Each participant's contributions and net earnings are maintained in participant-directed investment accounts. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.
- D. Vesting** - Participants are immediately vested in their contributions plus actual earnings thereon. Vesting in the Company's discretionary matching and qualified matching contributions, plus actual earnings thereon, are based on years of credited service as follows:

<u>Years of Service</u>	<u>Non-Forfeitable Percentage</u>
Less than 1	0%
1	33%
2	66%
3 or more	100%

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(1) Description of the Plan (continued)

- E. Notes receivable from participants** - Participants may borrow a minimum of \$1,000 up to a maximum of the lesser of \$50,000 or 50% of their vested account balance. Notes receivable are secured by the vested balance in the participant's account and bear interest at the prime rate plus 2.00% as specified in the Wall Street Journal at the time of origination, which was a maximum of 7.50% or a minimum of 5.25% for all notes as of December 31, 2021. All notes receivable are repaid in equal amounts over the repayment term with maturity dates through March 2027. Repayment terms are five years or less except for loans to acquire a personal residence, for which the Plan may permit a longer repayment term.
- F. Distribution of benefits** - On termination of service due to death, disability, or retirement, a participant becomes 100% vested in his or her account and may receive a lump-sum distribution equal to the value of the participant's account. For termination of service for other reasons, a participant may receive the value of the vested interest in his or her account as a lump-sum distribution. If the participant account balance at time of termination is less than \$1,000, the amount shall be automatically distributed to the participant in a single lump sum. If the participant account balance at the time of termination is more than \$1,000, but is no more than \$5,000, and the participant does not elect to receive a distribution from the Plan either through a lump sum or a direct rollover, then the participant's benefits will be paid as a direct rollover to an individual retirement account unrelated to the Company. If the participant makes a request for distribution, and the individual vested account balance is more than \$5,000, then the distribution will be a lump sum payment. Subject to certain restrictions, participants may also withdraw from their account for financial hardships.
- G. Forfeitures** - Forfeited employer matching contributions may be used to reduce the employer's contribution for the year or to pay Plan expenses. At December 31, 2021 and 2020, forfeited non-vested accounts were not material.
- H. Administrative expenses** - Administrative expenses are paid by the Plan. There are certain expenses of the Plan paid for by the Plan sponsor that are not expected to be reimbursed by the Plan.

(2) Significant accounting policies

The significant accounting policies followed by the Plan are as follows:

Basis of accounting - The accompanying financial statements of the Plan are prepared using the accrual method of accounting in accordance with accounting principles generally accepted in the United States of America. Accordingly, income and contributions are recognized when earned and expenses are recorded when incurred.

Management's use of estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of net assets and the reported amounts of additions to and deductions from net assets. Actual results may differ from those estimates.

Investment valuation and income recognition - The investments of the Plan are recorded at fair value in accordance with Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 820, *Fair Value Measurement*. FASB ASC 820 establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The three levels of the fair value hierarchy under FASB ASC 820 are described below:

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(2) Significant accounting policies (continued)

Level 1: Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets.

Level 2: Inputs to the valuation methodology include quoted prices for similar assets and liabilities in active markets; quoted prices for identical or similar assets and liabilities in inactive markets; inputs other than quoted market prices that are observable for the asset or liability; inputs that are derived principally from or corroborated by observable market data by correlation or other means. If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for the investments held by the Plan. There have been no changes in the methodologies as of December 31, 2021 and 2020.

Common/collective trust - The common/collective trust was valued at unit value, which was based on the fair value of the underlying assets, as determined by quoted market prices, divided by the number of units outstanding. Unit value for the common/collective trust was the equivalent of net asset value, which was a practical expedient for estimating the fair value of that investment. The common/collective trust had no unfunded commitments as of December 31, 2020 and could be redeemed daily with no redemption notice period or other redemption restrictions.

Mutual funds - Shares of mutual funds are stated at net asset value, which are readily determinable fair values of those shares as they are published daily and are the basis for current transactions.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Net appreciation in the fair value of investments consists of the unrealized appreciation or depreciation of investments held during the year and the realized gain or loss on investments sold during the year.

Notes receivable from participants - Participant loans are measured at their unpaid principal balance plus accrued interest.

Payment of benefits - Benefits are recorded when paid.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(3) Fair value measurements

The following table sets forth by level, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2021.

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
Mutual funds	\$ 28,323,700	\$ -	\$ -	\$ 28,323,700

The following table sets forth by level, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2020.

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
Mutual funds	\$ 9,016,494	\$ -	\$ -	\$ 9,016,494
Common/collective trust*	-	-	-	197,642
Total investments	<u>\$ 9,016,494</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 9,214,136</u>

* In accordance with Subtopic 820-10, certain investments that are measured using net asset value per share (or its equivalent) as a practical expedient for fair value have not been classified in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the amounts presented in the statements of net assets available for benefits.

(4) Information certified by the Plan's trustee

The Plan administrator has elected the method of annual reporting compliance permitted by ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's ("DOL") Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, Fidelity Management Trust Company, the Plan's trustee, has certified that the following data included in the accompanying financial statements and supplemental schedule is complete and accurate:

- Investments
- Notes receivable from participants
- Interest and dividends
- Net appreciation in fair value of investments
- Interest income on notes receivable from participants
- Schedule of assets (held at end of year)

The Plan's independent public accountants did not perform auditing procedures with respect to this information, except for comparing such information to the related information included in the financial statements and supplemental schedule.

(5) Risks and uncertainties

The Plan provides for various investment fund options, which in turn, invest in any combination of stocks, bonds and other investment securities. Investment securities are exposed to various risks, such as interest rate, market and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in risks in the near term could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits and the statement of changes in net assets available for benefits.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(6) Party-in-interest transactions

During the year ended December 31, 2021, the Plan paid Fidelity Workplace Services LLC fees for recordkeeping and contract administration services; therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan to Fidelity totaled \$24,736 for the year ended December 31, 2021.

(7) Plan termination

Although it has not expressed any intent to do so, the Company has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of Plan termination, participants would become 100% vested in their employer contributions.

(8) Income tax status

The Plan has adopted a Prototype Plan which has obtained a favorable opinion letter from Internal Revenue Service dated March 31, 2014 stating that the Prototype Plan was designed in accordance with the applicable regulations of the Internal Revenue Code. The Plan administrator has not obtained an individual determination letter for the Plan. The Prototype Plan has been amended since receipt of the opinion letter. The Plan sponsor and the Plan administrator believe that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code and that the Plan and related trust continue to be tax-exempt. Therefore, no provision for income taxes has been included in the Plan's financial statements.

(9) Excess participant contributions refundable

The Plan failed to pass the Average Deferral Percentage ("ADP") test for the years ended December 31, 2021 and 2020. The statements of net assets available for benefits as of December 31, 2021 and 2020 include \$90,848 and \$39,685 of excess participant contributions refundable related to these failed tests, respectively. In addition, the statement of changes in net assets available for benefits for the year ended December 31, 2021 includes the \$90,848 as a reduction of participant contributions.

(10) Subsequent events

The Plan's management has evaluated subsequent events through November 14, 2022, which is the date the financial statements of the Plan were available to be issued.

(11) Nonexempt transactions

Plan management determined that certain contributions submitted by the Plan Sponsor during the 2021 Plan year were remitted late based upon guidelines established by the Department of Labor. These contributions totaled \$40,496 and Plan Management is in the process of funding one contribution and remitting lost earnings for all of the delinquent contributions, which are not material to the financial statements as a whole.

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(12) Reconciliation of financial statements to Form 5500

The following is a reconciliation of the statements of net assets available for benefits as reported in the financial statements to the Form 5500 as of December 31:

	<u>2021</u>	<u>2020</u>
Net assets as reported in the financial statements	\$ 28,631,142	\$ 9,337,787
Participant contributions receivable at December 31	(39,508)	(21,484)
Employer contributions receivable at December 31	(12,147)	-
Excess contributions refundable at December 31	90,848	39,685
Net assets as reported in the Form 5500	<u>\$ 28,670,335</u>	<u>\$ 9,355,988</u>

The following is a reconciliation of changes in net assets available for benefits as reported in the financial statements for the year ended December 31, 2021 to the Form 5500:

Net change as reported in the financial statements	\$ 6,095,197
Participant contributions receivable at December 31, 2020	21,484
Participant contributions receivable at December 31, 2021	(39,508)
Employer contributions receivable at December 31, 2021	(12,147)
Excess contributions refundable at December 31, 2020	(39,685)
Excess contributions refundable at December 31, 2021	90,848
Net income as reported in the Form 5500	<u>\$ 6,116,189</u>

SUPPLEMENTAL SCHEDULES

SUNLAND ASPHALT AND CONSTRUCTION

EMPLOYEES 401(k) SAVINGS PLAN

PLAN: 001

EIN: 86-0455988

SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS

Year ended December 31, 2021

Participant Contributions Transferred Late to the Plan			Check Here if Late Participant Loan Repayments Are Included	Total That Constitutes Nonexempt Prohibited Transactions			Total Fully Corrected Under Voluntary Fiduciary Correction Program and PTE 2002-51
				Contributions Not Corrected	Contributions Corrected Outside Voluntary Fiduciary Correction Program	Contributions Pending Correction in Voluntary Fiduciary Correction Program	
Amount Withheld	Date Withheld	Date Remitted					
\$ 1,999	9/17/2021	11/11/2021	X	\$ 1,999	\$ -	\$ -	\$ -
99	10/1/2021	11/16/2021	X	99	-	-	-
38,260	10/8/2021	11/2/2021	X	38,260	-	-	-
138	12/10/2021			138	-	-	-
<u>\$ 40,496</u>				<u>\$ 40,496</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

PLAN: 001

EIN: 86-0455988

SCHEDULE H, LINE 4(i) – SCHEDULE OF ASSETS (HELD AT END OF YEAR)

December 31, 2021

(a)	(b) Identity of issue, borrower, lessor, or similar party	(c) Description of investment including maturity date, rate of interest, collateral, par or maturity value	(d) Cost	(e) Current value
Mutual funds				
	Pimco	Multisector Bond	**	\$ 731,177
	Brandywineglobal	Global Bond	**	293,355
	Guggenheim	Limited Duration Fund	**	566,242
	BlackRock	Growth Equity Fund	**	418,431
	Columbia	Dividend Income Fund	**	2,682,775
	Goldman Sachs	International Opportunities Fund	**	1,097,569
	Vanguard	Money Market Fund	**	644,226
	Vanguard	Markets Index Fund	**	40,032
	DFA	Real Estate Securities Portfolio	**	230,280
	DFA	Inflation Protected Securities Portfolio	**	357,651
	RBC	Markets Equity Fund	**	461,737
	AQR	Defensive Style Fund	**	2,165,651
	DoubleLine	Total Return Bond Fund	**	1,013,238
*	Fidelity	Growth Fund	**	3,589,422
*	Fidelity	Index Income Fund	**	697,573
*	Fidelity	Index 2020 Fund	**	689,301
*	Fidelity	Index 2025 Fund	**	3,225,153
*	Fidelity	Index 2030 Fund	**	3,750,169
*	Fidelity	Index 2035 Fund	**	546,517
*	Fidelity	Index 2040 Fund	**	945,995
*	Fidelity	Index 2045 Fund	**	927,793
*	Fidelity	Index 2050 Fund	**	1,054,273
*	Fidelity	Index 2015 Fund	**	8,684
*	Fidelity	500 Index Fund	**	495,638
*	Fidelity	Index 2055 Fund	**	508,420
*	Fidelity	Mid Cap Index Fund	**	16,611
*	Fidelity	Small Cap Index Fund	**	728,862
*	Fidelity	Index 2060 Fund	**	204,838
*	Fidelity	Value Index Fund	**	13,628
*	Fidelity	Growth Index Fund	**	12,883
*	Fidelity	Value Index Fund	**	113,728
*	Fidelity	Index 2065 Fund	**	91,848
	Total mutual funds			<u>28,323,700</u>
Participant loans				
		Notes receivable with maturity dates through March 2027 and interest ranging from 5.25% to 7.50%	-0-	<u>346,635</u>
				<u>\$ 28,670,335</u>

* Denotes a party-in-interest

** Cost information not required for participant directed investments

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

**FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES**

December 31, 2021 and 2020

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

**FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES**

December 31, 2021 and 2020

INDEX

	<u>Pages</u>
INDEPENDENT AUDITORS' REPORT	1 - 4
FINANCIAL STATEMENTS	
Statements of Net Assets Available for Benefits	5
Statement of Changes in Net Assets Available for Benefits	6
Notes to Financial Statements	7 - 12
SUPPLEMENTAL SCHEDULES	
Schedule H, Line 4(a) – Schedule of Delinquent Participant Contributions	13
Schedule H, Line 4(i) – Schedule of Assets (Held At End of Year)	14



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INDEPENDENT AUDITORS' REPORT

To the Trustee and Plan Management of

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

Scope and Nature of the ERISA Section 103(a)(3)(C) Audit for the 2021 Financial Statements

We have performed the audit of the financial statements of ***Sunland Asphalt and Construction Employees 401(k) Savings Plan*** (the "Plan"), an employee benefit plan subject to the Employee Retirement Income Security Act of 1974 ("ERISA"), as permitted by ERISA Section 103(a)(3)(C) ("ERISA Section 103(a)(3)(C) audit"). The financial statements comprise the statement of net assets available for benefits as of December 31, 2021, and the related statement of changes in net assets available for benefits for the year then ended, and the related notes to the financial statements.

Management, having determined it is permissible in the circumstances, has elected to have the audit of the 2021 financial statements performed in accordance with ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. As permitted by ERISA Section 103(a)(3)(C), our audit need not extend to any statements or information related to assets held for investment of the Plan ("investment information") by a bank or similar institution or insurance carrier that is regulated, supervised, and subject to periodic examination by a state or federal agency, provided that the statements or information regarding assets so held are prepared and certified to by the bank or similar institution or insurance carrier in accordance with 29 CFR 2520.103-5 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA ("qualified institution").

Management has obtained a certification from a qualified institution as of and for the year ended December 31, 2021, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

Opinion on the 2021 Financial Statements

In our opinion, based on our audit and on the procedures performed as described in the Auditors' Responsibilities for the Audit of the 2021 Financial Statements section:

- The amounts and disclosures in the accompanying 2021 financial statements, other than those agreed to or derived from the certified investment information, are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.
- The information in the accompanying 2021 financial statements related to assets held by and certified to by a qualified institution agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

Basis for Opinion on the 2021 Financial Statements

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("GAAS"). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the 2021 Financial Statements section of our report. We are required to be independent of the Plan and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our ERISA Section 103(a)(3)(C) audit opinion.

Responsibilities of Management for the 2021 Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. Management's election of the ERISA Section 103(a)(3)(C) audit does not affect management's responsibility for the financial statements.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern within one year after the date that the 2021 financial statements are issued or available to be issued.

Management is also responsible for maintaining a current plan instrument, including all plan amendments, administering the Plan, and determining that the Plan's transactions that are presented and disclosed in the financial statements are in conformity with the Plan's provisions, including maintaining sufficient records with respect to each of the participants, to determine the benefits due or which may become due to such participants.

Auditors' Responsibilities for the Audit of the 2021 Financial Statements

Except as described in the Scope and Nature of the ERISA Section 103(a)(3)(C) Audit for the 2021 Financial Statements section of our report, our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on these financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Plan's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern for a reasonable period of time.

Our audit did not extend to the certified investment information, except for obtaining and reading the certification, comparing the certified investment information with the related information presented and disclosed in the 2021 financial statements, and reading the disclosures relating to the certified investment information to assess whether they are in accordance with the presentation and disclosure requirements of accounting principles generally accepted in the United States of America.

Accordingly, the objective of an ERISA Section 103(a)(3)(C) audit is not to express an opinion about whether the financial statements as a whole are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matter - Supplemental Schedules Required by ERISA

The supplemental schedules listed in the accompanying index are presented for purposes of additional analysis and are not a required part of the financial statements but are supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information included in the supplemental schedules, other than that agreed to or derived from the certified investment information, has been subjected to auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS. For information included in the supplemental schedule that agreed to or is derived from the certified investment information, we compared such information to the related certified investment information.

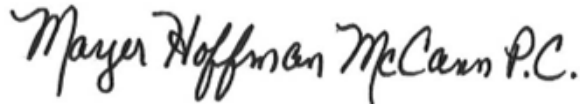
In forming our opinion on the supplemental schedules, we evaluated whether the supplemental schedules, other than the information agreed to or derived from the certified investment information, including its form and content, is presented in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.

In our opinion:

- The form and content of the supplemental schedules, other than the information in the supplemental schedules that agreed to or is derived from the certified investment information, are presented, in all material respects, in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.
- The information in the supplemental schedules related to assets held by and certified to by a qualified institution, agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

Other Matter - Auditors' Report on the 2020 Financial Statements

We were engaged to audit the 2020 financial statements of the Plan. As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA, the plan administrator instructed us not to perform and we did not perform any auditing procedures with respect to the information certified by the qualified institution. In our report dated October 14, 2021, we indicated that (a) because of the significance of the information that we did not audit, we were not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion and accordingly, we did not express an opinion on the 2020 financial statements, and (b) the form and content of the information included in the 2020 financial statements other than that derived from the certified information were presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.

A handwritten signature in black ink that reads "Mayer Hoffman McCann P.C." in a cursive, flowing script.

November 14, 2022

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
ASSETS		
INVESTMENTS		
Common/collective trust	\$ -	\$ 197,642
Mutual funds	<u>28,323,700</u>	<u>9,016,494</u>
Total investments	<u>28,323,700</u>	<u>9,214,136</u>
RECEIVABLES		
Participant contributions	39,508	21,484
Employer contributions	12,147	-
Notes receivable from participants	<u>346,635</u>	<u>141,852</u>
Total receivables	<u>398,290</u>	<u>163,336</u>
Total assets	28,721,990	9,377,472
LIABILITIES		
Excess contributions payable	<u>90,848</u>	<u>39,685</u>
NET ASSETS AVAILABLE FOR BENEFITS	<u>\$ 28,631,142</u>	<u>\$ 9,337,787</u>

See Notes to Financial Statements

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

Year Ended December 31, 2021

ADDITIONS

Contributions:

Participant contributions	\$ 1,660,756
Employer contributions	827,692
Rollover contributions	<u>3,100,317</u>
Total contributions	<u>5,588,765</u>

Investment income:

Interest and dividends	562,002
Net appreciation in fair value of investments	<u>1,393,117</u>
Total investment income	<u>1,955,119</u>

Interest income on notes receivable from participants	<u>14,540</u>
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TOTAL ADDITIONS	<u>7,558,424</u>
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DEDUCTIONS

Benefits paid to participants	1,438,491
Administrative expenses	<u>24,736</u>

TOTAL DEDUCTIONS	<u>1,463,227</u>
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NET CHANGE IN NET ASSETS AVAILABLE FOR BENEFITS	6,095,197
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NET ASSETS AVAILABLE FOR BENEFITS, BEGINNING OF YEAR	<u>9,337,787</u>
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NET ASSETS AVAILABLE FOR BENEFITS, END OF YEAR BEFORE TRANSFER	15,432,984
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TRANSFER OF ASSETS FROM ANOTHER PLAN	<u>13,198,158</u>
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NET ASSETS AVAILABLE FOR BENEFITS, END OF YEAR	<u>\$ 28,631,142</u>
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SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(1) Description of the Plan

The following description of the ***Sunland Asphalt and Construction Employees 401(k) Savings Plan*** (the "Plan") provides only general information. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

- A. General** - The Plan is a defined contribution plan adopted January 1, 2004. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 ("ERISA").

Employees of Sunland Asphalt and Construction, Inc. (the "Company") who have completed 60 days of employment and are 18 years of age are eligible to participate in the Plan. Employees of Solterra Materials, LLC, a majority owned subsidiary of the Company, are also eligible to participate in the Plan upon meeting the eligibility requirements.

On January 13, 2021 the Company was purchased by Huron Capital ("Huron"), a private equity company and on January 20, 2021 Huron, through the Company, purchased the minority interest (40%) of Solterra Materials, LLC. As part of these transactions, the Company changed its name to Sunland Asphalt & Construction, LLC.

On March 3, 2021, Huron purchased Ace Asphalt of Arizona, Inc. and merged it with Sunland Asphalt & Construction, LLC. Subsequent to the purchase and merger of Ace Asphalt with the Company, the Ace Asphalt of Arizona, Inc. 401(k) Plan ("Ace Plan") was merged into the Plan in September 2021, and approximately \$13.2 million of assets related to the Ace Plan were transferred to the Plan.

Employees may enter the Plan on the first day of each month following the month eligibility requirements are met.

- B. Contributions** - Participants may elect to contribute up to 75% of eligible compensation, or the maximum amount allowed by law, whichever is less, as a pretax deferral. The Company may also make discretionary qualified matching contributions on behalf of participants as determined by the Company. For 2021, the Company approved an employer match of 50% of employee contributions, up to 6%.
- C. Participant accounts** - Each participant's account is credited with the participant's contribution, the Company's discretionary matching contributions, allocations of the Company's discretionary qualified matching contributions, and allocations of Plan expenses, earnings or losses, as defined. Each participant's contributions and net earnings are maintained in participant-directed investment accounts. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.
- D. Vesting** - Participants are immediately vested in their contributions plus actual earnings thereon. Vesting in the Company's discretionary matching and qualified matching contributions, plus actual earnings thereon, are based on years of credited service as follows:

<u>Years of Service</u>	<u>Non-Forfeitable Percentage</u>
Less than 1	0%
1	33%
2	66%
3 or more	100%

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(1) Description of the Plan (continued)

- E. Notes receivable from participants** - Participants may borrow a minimum of \$1,000 up to a maximum of the lesser of \$50,000 or 50% of their vested account balance. Notes receivable are secured by the vested balance in the participant's account and bear interest at the prime rate plus 2.00% as specified in the Wall Street Journal at the time of origination, which was a maximum of 7.50% or a minimum of 5.25% for all notes as of December 31, 2021. All notes receivable are repaid in equal amounts over the repayment term with maturity dates through March 2027. Repayment terms are five years or less except for loans to acquire a personal residence, for which the Plan may permit a longer repayment term.
- F. Distribution of benefits** - On termination of service due to death, disability, or retirement, a participant becomes 100% vested in his or her account and may receive a lump-sum distribution equal to the value of the participant's account. For termination of service for other reasons, a participant may receive the value of the vested interest in his or her account as a lump-sum distribution. If the participant account balance at time of termination is less than \$1,000, the amount shall be automatically distributed to the participant in a single lump sum. If the participant account balance at the time of termination is more than \$1,000, but is no more than \$5,000, and the participant does not elect to receive a distribution from the Plan either through a lump sum or a direct rollover, then the participant's benefits will be paid as a direct rollover to an individual retirement account unrelated to the Company. If the participant makes a request for distribution, and the individual vested account balance is more than \$5,000, then the distribution will be a lump sum payment. Subject to certain restrictions, participants may also withdraw from their account for financial hardships.
- G. Forfeitures** - Forfeited employer matching contributions may be used to reduce the employer's contribution for the year or to pay Plan expenses. At December 31, 2021 and 2020, forfeited non-vested accounts were not material.
- H. Administrative expenses** - Administrative expenses are paid by the Plan. There are certain expenses of the Plan paid for by the Plan sponsor that are not expected to be reimbursed by the Plan.

(2) Significant accounting policies

The significant accounting policies followed by the Plan are as follows:

Basis of accounting - The accompanying financial statements of the Plan are prepared using the accrual method of accounting in accordance with accounting principles generally accepted in the United States of America. Accordingly, income and contributions are recognized when earned and expenses are recorded when incurred.

Management's use of estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of net assets and the reported amounts of additions to and deductions from net assets. Actual results may differ from those estimates.

Investment valuation and income recognition - The investments of the Plan are recorded at fair value in accordance with Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 820, *Fair Value Measurement*. FASB ASC 820 establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The three levels of the fair value hierarchy under FASB ASC 820 are described below:

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(2) Significant accounting policies (continued)

Level 1: Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets.

Level 2: Inputs to the valuation methodology include quoted prices for similar assets and liabilities in active markets; quoted prices for identical or similar assets and liabilities in inactive markets; inputs other than quoted market prices that are observable for the asset or liability; inputs that are derived principally from or corroborated by observable market data by correlation or other means. If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for the investments held by the Plan. There have been no changes in the methodologies as of December 31, 2021 and 2020.

Common/collective trust - The common/collective trust was valued at unit value, which was based on the fair value of the underlying assets, as determined by quoted market prices, divided by the number of units outstanding. Unit value for the common/collective trust was the equivalent of net asset value, which was a practical expedient for estimating the fair value of that investment. The common/collective trust had no unfunded commitments as of December 31, 2020 and could be redeemed daily with no redemption notice period or other redemption restrictions.

Mutual funds - Shares of mutual funds are stated at net asset value, which are readily determinable fair values of those shares as they are published daily and are the basis for current transactions.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Net appreciation in the fair value of investments consists of the unrealized appreciation or depreciation of investments held during the year and the realized gain or loss on investments sold during the year.

Notes receivable from participants - Participant loans are measured at their unpaid principal balance plus accrued interest.

Payment of benefits - Benefits are recorded when paid.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(3) Fair value measurements

The following table sets forth by level, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2021.

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
Mutual funds	\$ 28,323,700	\$ -	\$ -	\$ 28,323,700

The following table sets forth by level, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2020.

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
Mutual funds	\$ 9,016,494	\$ -	\$ -	\$ 9,016,494
Common/collective trust*	-	-	-	197,642
Total investments	<u>\$ 9,016,494</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 9,214,136</u>

* In accordance with Subtopic 820-10, certain investments that are measured using net asset value per share (or its equivalent) as a practical expedient for fair value have not been classified in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the amounts presented in the statements of net assets available for benefits.

(4) Information certified by the Plan's trustee

The Plan administrator has elected the method of annual reporting compliance permitted by ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's ("DOL") Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, Fidelity Management Trust Company, the Plan's trustee, has certified that the following data included in the accompanying financial statements and supplemental schedule is complete and accurate:

- Investments
- Notes receivable from participants
- Interest and dividends
- Net appreciation in fair value of investments
- Interest income on notes receivable from participants
- Schedule of assets (held at end of year)

The Plan's independent public accountants did not perform auditing procedures with respect to this information, except for comparing such information to the related information included in the financial statements and supplemental schedule.

(5) Risks and uncertainties

The Plan provides for various investment fund options, which in turn, invest in any combination of stocks, bonds and other investment securities. Investment securities are exposed to various risks, such as interest rate, market and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in risks in the near term could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits and the statement of changes in net assets available for benefits.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(6) Party-in-interest transactions

During the year ended December 31, 2021, the Plan paid Fidelity Workplace Services LLC fees for recordkeeping and contract administration services; therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan to Fidelity totaled \$24,736 for the year ended December 31, 2021.

(7) Plan termination

Although it has not expressed any intent to do so, the Company has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of Plan termination, participants would become 100% vested in their employer contributions.

(8) Income tax status

The Plan has adopted a Prototype Plan which has obtained a favorable opinion letter from Internal Revenue Service dated March 31, 2014 stating that the Prototype Plan was designed in accordance with the applicable regulations of the Internal Revenue Code. The Plan administrator has not obtained an individual determination letter for the Plan. The Prototype Plan has been amended since receipt of the opinion letter. The Plan sponsor and the Plan administrator believe that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code and that the Plan and related trust continue to be tax-exempt. Therefore, no provision for income taxes has been included in the Plan's financial statements.

(9) Excess participant contributions refundable

The Plan failed to pass the Average Deferral Percentage ("ADP") test for the years ended December 31, 2021 and 2020. The statements of net assets available for benefits as of December 31, 2021 and 2020 include \$90,848 and \$39,685 of excess participant contributions refundable related to these failed tests, respectively. In addition, the statement of changes in net assets available for benefits for the year ended December 31, 2021 includes the \$90,848 as a reduction of participant contributions.

(10) Subsequent events

The Plan's management has evaluated subsequent events through November 14, 2022, which is the date the financial statements of the Plan were available to be issued.

(11) Nonexempt transactions

Plan management determined that certain contributions submitted by the Plan Sponsor during the 2021 Plan year were remitted late based upon guidelines established by the Department of Labor. These contributions totaled \$40,496 and Plan Management is in the process of funding one contribution and remitting lost earnings for all of the delinquent contributions, which are not material to the financial statements as a whole.

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(12) Reconciliation of financial statements to Form 5500

The following is a reconciliation of the statements of net assets available for benefits as reported in the financial statements to the Form 5500 as of December 31:

	<u>2021</u>	<u>2020</u>
Net assets as reported in the financial statements	\$ 28,631,142	\$ 9,337,787
Participant contributions receivable at December 31	(39,508)	(21,484)
Employer contributions receivable at December 31	(12,147)	-
Excess contributions refundable at December 31	90,848	39,685
Net assets as reported in the Form 5500	<u>\$ 28,670,335</u>	<u>\$ 9,355,988</u>

The following is a reconciliation of changes in net assets available for benefits as reported in the financial statements for the year ended December 31, 2021 to the Form 5500:

Net change as reported in the financial statements	\$ 6,095,197
Participant contributions receivable at December 31, 2020	21,484
Participant contributions receivable at December 31, 2021	(39,508)
Employer contributions receivable at December 31, 2021	(12,147)
Excess contributions refundable at December 31, 2020	(39,685)
Excess contributions refundable at December 31, 2021	90,848
Net income as reported in the Form 5500	<u>\$ 6,116,189</u>

SUPPLEMENTAL SCHEDULES

SUNLAND ASPHALT AND CONSTRUCTION

EMPLOYEES 401(k) SAVINGS PLAN

PLAN: 001

EIN: 86-0455988

SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS

Year ended December 31, 2021

Participant Contributions Transferred Late to the Plan			Check Here if Late Participant Loan Repayments Are Included	Total That Constitutes Nonexempt Prohibited Transactions			Total Fully Corrected Under Voluntary Fiduciary Correction Program and PTE 2002-51
				Contributions Not Corrected	Contributions Corrected Outside Voluntary Fiduciary Correction Program	Contributions Pending Correction in Voluntary Fiduciary Correction Program	
Amount Withheld	Date Withheld	Date Remitted					
\$ 1,999	9/17/2021	11/11/2021	X	\$ 1,999	\$ -	\$ -	\$ -
99	10/1/2021	11/16/2021	X	99	-	-	-
38,260	10/8/2021	11/2/2021	X	38,260	-	-	-
138	12/10/2021			138	-	-	-
<u>\$ 40,496</u>				<u>\$ 40,496</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

PLAN: 001

EIN: 86-0455988

SCHEDULE H, LINE 4(i) – SCHEDULE OF ASSETS (HELD AT END OF YEAR)

December 31, 2021

(a)	(b) Identity of issue, borrower, lessor, or similar party	(c) Description of investment including maturity date, rate of interest, collateral, par or maturity value	(d) Cost	(e) Current value
Mutual funds				
	Pimco	Multisector Bond	**	\$ 731,177
	Brandywineglobal	Global Bond	**	293,355
	Guggenheim	Limited Duration Fund	**	566,242
	BlackRock	Growth Equity Fund	**	418,431
	Columbia	Dividend Income Fund	**	2,682,775
	Goldman Sachs	International Opportunities Fund	**	1,097,569
	Vanguard	Money Market Fund	**	644,226
	Vanguard	Markets Index Fund	**	40,032
	DFA	Real Estate Securities Portfolio	**	230,280
	DFA	Inflation Protected Securities Portfolio	**	357,651
	RBC	Markets Equity Fund	**	461,737
	AQR	Defensive Style Fund	**	2,165,651
	DoubleLine	Total Return Bond Fund	**	1,013,238
*	Fidelity	Growth Fund	**	3,589,422
*	Fidelity	Index Income Fund	**	697,573
*	Fidelity	Index 2020 Fund	**	689,301
*	Fidelity	Index 2025 Fund	**	3,225,153
*	Fidelity	Index 2030 Fund	**	3,750,169
*	Fidelity	Index 2035 Fund	**	546,517
*	Fidelity	Index 2040 Fund	**	945,995
*	Fidelity	Index 2045 Fund	**	927,793
*	Fidelity	Index 2050 Fund	**	1,054,273
*	Fidelity	Index 2015 Fund	**	8,684
*	Fidelity	500 Index Fund	**	495,638
*	Fidelity	Index 2055 Fund	**	508,420
*	Fidelity	Mid Cap Index Fund	**	16,611
*	Fidelity	Small Cap Index Fund	**	728,862
*	Fidelity	Index 2060 Fund	**	204,838
*	Fidelity	Value Index Fund	**	13,628
*	Fidelity	Growth Index Fund	**	12,883
*	Fidelity	Value Index Fund	**	113,728
*	Fidelity	Index 2065 Fund	**	91,848
	Total mutual funds			<u>28,323,700</u>
Participant loans				
		Notes receivable with maturity dates through March 2027 and interest ranging from 5.25% to 7.50%	-0-	<u>346,635</u>
				<u>\$ 28,670,335</u>

* Denotes a party-in-interest

** Cost information not required for participant directed investments

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

**FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES**

December 31, 2021 and 2020

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

**FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES**

December 31, 2021 and 2020

INDEX

	<u>Pages</u>
INDEPENDENT AUDITORS' REPORT	1 - 4
FINANCIAL STATEMENTS	
Statements of Net Assets Available for Benefits	5
Statement of Changes in Net Assets Available for Benefits	6
Notes to Financial Statements	7 - 12
SUPPLEMENTAL SCHEDULES	
Schedule H, Line 4(a) – Schedule of Delinquent Participant Contributions	13
Schedule H, Line 4(i) – Schedule of Assets (Held At End of Year)	14



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INDEPENDENT AUDITORS' REPORT

To the Trustee and Plan Management of

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

Scope and Nature of the ERISA Section 103(a)(3)(C) Audit for the 2021 Financial Statements

We have performed the audit of the financial statements of ***Sunland Asphalt and Construction Employees 401(k) Savings Plan*** (the "Plan"), an employee benefit plan subject to the Employee Retirement Income Security Act of 1974 ("ERISA"), as permitted by ERISA Section 103(a)(3)(C) ("ERISA Section 103(a)(3)(C) audit"). The financial statements comprise the statement of net assets available for benefits as of December 31, 2021, and the related statement of changes in net assets available for benefits for the year then ended, and the related notes to the financial statements.

Management, having determined it is permissible in the circumstances, has elected to have the audit of the 2021 financial statements performed in accordance with ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. As permitted by ERISA Section 103(a)(3)(C), our audit need not extend to any statements or information related to assets held for investment of the Plan ("investment information") by a bank or similar institution or insurance carrier that is regulated, supervised, and subject to periodic examination by a state or federal agency, provided that the statements or information regarding assets so held are prepared and certified to by the bank or similar institution or insurance carrier in accordance with 29 CFR 2520.103-5 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA ("qualified institution").

Management has obtained a certification from a qualified institution as of and for the year ended December 31, 2021, stating that the certified investment information, as described in Note 4 to the financial statements, is complete and accurate.

Opinion on the 2021 Financial Statements

In our opinion, based on our audit and on the procedures performed as described in the Auditors' Responsibilities for the Audit of the 2021 Financial Statements section:

- The amounts and disclosures in the accompanying 2021 financial statements, other than those agreed to or derived from the certified investment information, are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.
- The information in the accompanying 2021 financial statements related to assets held by and certified to by a qualified institution agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

Basis for Opinion on the 2021 Financial Statements

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("GAAS"). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the 2021 Financial Statements section of our report. We are required to be independent of the Plan and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our ERISA Section 103(a)(3)(C) audit opinion.

Responsibilities of Management for the 2021 Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. Management's election of the ERISA Section 103(a)(3)(C) audit does not affect management's responsibility for the financial statements.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern within one year after the date that the 2021 financial statements are issued or available to be issued.

Management is also responsible for maintaining a current plan instrument, including all plan amendments, administering the Plan, and determining that the Plan's transactions that are presented and disclosed in the financial statements are in conformity with the Plan's provisions, including maintaining sufficient records with respect to each of the participants, to determine the benefits due or which may become due to such participants.

Auditors' Responsibilities for the Audit of the 2021 Financial Statements

Except as described in the Scope and Nature of the ERISA Section 103(a)(3)(C) Audit for the 2021 Financial Statements section of our report, our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on these financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Plan's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Plan's ability to continue as a going concern for a reasonable period of time.

Our audit did not extend to the certified investment information, except for obtaining and reading the certification, comparing the certified investment information with the related information presented and disclosed in the 2021 financial statements, and reading the disclosures relating to the certified investment information to assess whether they are in accordance with the presentation and disclosure requirements of accounting principles generally accepted in the United States of America.

Accordingly, the objective of an ERISA Section 103(a)(3)(C) audit is not to express an opinion about whether the financial statements as a whole are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matter - Supplemental Schedules Required by ERISA

The supplemental schedules listed in the accompanying index are presented for purposes of additional analysis and are not a required part of the financial statements but are supplementary information required by the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information included in the supplemental schedules, other than that agreed to or derived from the certified investment information, has been subjected to auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS. For information included in the supplemental schedule that agreed to or is derived from the certified investment information, we compared such information to the related certified investment information.

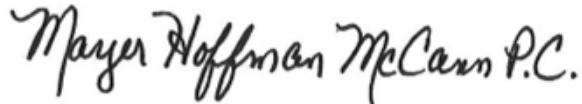
In forming our opinion on the supplemental schedules, we evaluated whether the supplemental schedules, other than the information agreed to or derived from the certified investment information, including its form and content, is presented in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.

In our opinion:

- The form and content of the supplemental schedules, other than the information in the supplemental schedules that agreed to or is derived from the certified investment information, are presented, in all material respects, in conformity with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.
- The information in the supplemental schedules related to assets held by and certified to by a qualified institution, agrees to, or is derived from, in all material respects, the information prepared and certified by an institution that management determined meets the requirements of ERISA Section 103(a)(3)(C).

Other Matter - Auditors' Report on the 2020 Financial Statements

We were engaged to audit the 2020 financial statements of the Plan. As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA, the plan administrator instructed us not to perform and we did not perform any auditing procedures with respect to the information certified by the qualified institution. In our report dated October 14, 2021, we indicated that (a) because of the significance of the information that we did not audit, we were not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion and accordingly, we did not express an opinion on the 2020 financial statements, and (b) the form and content of the information included in the 2020 financial statements other than that derived from the certified information were presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under ERISA.

A handwritten signature in black ink that reads "Mayer Hoffman McCann P.C." in a cursive, flowing script.

November 14, 2022

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS

December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
ASSETS		
INVESTMENTS		
Common/collective trust	\$ -	\$ 197,642
Mutual funds	<u>28,323,700</u>	<u>9,016,494</u>
Total investments	<u>28,323,700</u>	<u>9,214,136</u>
RECEIVABLES		
Participant contributions	39,508	21,484
Employer contributions	12,147	-
Notes receivable from participants	<u>346,635</u>	<u>141,852</u>
Total receivables	<u>398,290</u>	<u>163,336</u>
Total assets	28,721,990	9,377,472
LIABILITIES		
Excess contributions payable	<u>90,848</u>	<u>39,685</u>
NET ASSETS AVAILABLE FOR BENEFITS	<u><u>\$ 28,631,142</u></u>	<u><u>\$ 9,337,787</u></u>

See Notes to Financial Statements

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS

Year Ended December 31, 2021

ADDITIONS

Contributions:

Participant contributions	\$ 1,660,756
Employer contributions	827,692
Rollover contributions	<u>3,100,317</u>
Total contributions	<u>5,588,765</u>

Investment income:

Interest and dividends	562,002
Net appreciation in fair value of investments	<u>1,393,117</u>
Total investment income	<u>1,955,119</u>

Interest income on notes receivable from participants	<u>14,540</u>
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TOTAL ADDITIONS	<u>7,558,424</u>
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DEDUCTIONS

Benefits paid to participants	1,438,491
Administrative expenses	<u>24,736</u>

TOTAL DEDUCTIONS	<u>1,463,227</u>
------------------	------------------

NET CHANGE IN NET ASSETS AVAILABLE FOR BENEFITS	6,095,197
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NET ASSETS AVAILABLE FOR BENEFITS, BEGINNING OF YEAR	<u>9,337,787</u>
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NET ASSETS AVAILABLE FOR BENEFITS, END OF YEAR BEFORE TRANSFER	15,432,984
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TRANSFER OF ASSETS FROM ANOTHER PLAN	<u>13,198,158</u>
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NET ASSETS AVAILABLE FOR BENEFITS, END OF YEAR	<u>\$ 28,631,142</u>
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SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(1) Description of the Plan

The following description of the ***Sunland Asphalt and Construction Employees 401(k) Savings Plan*** (the "Plan") provides only general information. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

- A. General** - The Plan is a defined contribution plan adopted January 1, 2004. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 ("ERISA").

Employees of Sunland Asphalt and Construction, Inc. (the "Company") who have completed 60 days of employment and are 18 years of age are eligible to participate in the Plan. Employees of Solterra Materials, LLC, a majority owned subsidiary of the Company, are also eligible to participate in the Plan upon meeting the eligibility requirements.

On January 13, 2021 the Company was purchased by Huron Capital ("Huron"), a private equity company and on January 20, 2021 Huron, through the Company, purchased the minority interest (40%) of Solterra Materials, LLC. As part of these transactions, the Company changed its name to Sunland Asphalt & Construction, LLC.

On March 3, 2021, Huron purchased Ace Asphalt of Arizona, Inc. and merged it with Sunland Asphalt & Construction, LLC. Subsequent to the purchase and merger of Ace Asphalt with the Company, the Ace Asphalt of Arizona, Inc. 401(k) Plan ("Ace Plan") was merged into the Plan in September 2021, and approximately \$13.2 million of assets related to the Ace Plan were transferred to the Plan.

Employees may enter the Plan on the first day of each month following the month eligibility requirements are met.

- B. Contributions** - Participants may elect to contribute up to 75% of eligible compensation, or the maximum amount allowed by law, whichever is less, as a pretax deferral. The Company may also make discretionary qualified matching contributions on behalf of participants as determined by the Company. For 2021, the Company approved an employer match of 50% of employee contributions, up to 6%.
- C. Participant accounts** - Each participant's account is credited with the participant's contribution, the Company's discretionary matching contributions, allocations of the Company's discretionary qualified matching contributions, and allocations of Plan expenses, earnings or losses, as defined. Each participant's contributions and net earnings are maintained in participant-directed investment accounts. The benefit to which a participant is entitled is the benefit that can be provided from the participant's vested account.
- D. Vesting** - Participants are immediately vested in their contributions plus actual earnings thereon. Vesting in the Company's discretionary matching and qualified matching contributions, plus actual earnings thereon, are based on years of credited service as follows:

<u>Years of Service</u>	<u>Non-Forfeitable Percentage</u>
Less than 1	0%
1	33%
2	66%
3 or more	100%

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(1) Description of the Plan (continued)

- E. Notes receivable from participants** - Participants may borrow a minimum of \$1,000 up to a maximum of the lesser of \$50,000 or 50% of their vested account balance. Notes receivable are secured by the vested balance in the participant's account and bear interest at the prime rate plus 2.00% as specified in the Wall Street Journal at the time of origination, which was a maximum of 7.50% or a minimum of 5.25% for all notes as of December 31, 2021. All notes receivable are repaid in equal amounts over the repayment term with maturity dates through March 2027. Repayment terms are five years or less except for loans to acquire a personal residence, for which the Plan may permit a longer repayment term.
- F. Distribution of benefits** - On termination of service due to death, disability, or retirement, a participant becomes 100% vested in his or her account and may receive a lump-sum distribution equal to the value of the participant's account. For termination of service for other reasons, a participant may receive the value of the vested interest in his or her account as a lump-sum distribution. If the participant account balance at time of termination is less than \$1,000, the amount shall be automatically distributed to the participant in a single lump sum. If the participant account balance at the time of termination is more than \$1,000, but is no more than \$5,000, and the participant does not elect to receive a distribution from the Plan either through a lump sum or a direct rollover, then the participant's benefits will be paid as a direct rollover to an individual retirement account unrelated to the Company. If the participant makes a request for distribution, and the individual vested account balance is more than \$5,000, then the distribution will be a lump sum payment. Subject to certain restrictions, participants may also withdraw from their account for financial hardships.
- G. Forfeitures** - Forfeited employer matching contributions may be used to reduce the employer's contribution for the year or to pay Plan expenses. At December 31, 2021 and 2020, forfeited non-vested accounts were not material.
- H. Administrative expenses** - Administrative expenses are paid by the Plan. There are certain expenses of the Plan paid for by the Plan sponsor that are not expected to be reimbursed by the Plan.

(2) Significant accounting policies

The significant accounting policies followed by the Plan are as follows:

Basis of accounting - The accompanying financial statements of the Plan are prepared using the accrual method of accounting in accordance with accounting principles generally accepted in the United States of America. Accordingly, income and contributions are recognized when earned and expenses are recorded when incurred.

Management's use of estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of net assets and the reported amounts of additions to and deductions from net assets. Actual results may differ from those estimates.

Investment valuation and income recognition - The investments of the Plan are recorded at fair value in accordance with Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 820, *Fair Value Measurement*. FASB ASC 820 establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The three levels of the fair value hierarchy under FASB ASC 820 are described below:

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(2) Significant accounting policies (continued)

Level 1: Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets.

Level 2: Inputs to the valuation methodology include quoted prices for similar assets and liabilities in active markets; quoted prices for identical or similar assets and liabilities in inactive markets; inputs other than quoted market prices that are observable for the asset or liability; inputs that are derived principally from or corroborated by observable market data by correlation or other means. If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for the investments held by the Plan. There have been no changes in the methodologies as of December 31, 2021 and 2020.

Common/collective trust - The common/collective trust was valued at unit value, which was based on the fair value of the underlying assets, as determined by quoted market prices, divided by the number of units outstanding. Unit value for the common/collective trust was the equivalent of net asset value, which was a practical expedient for estimating the fair value of that investment. The common/collective trust had no unfunded commitments as of December 31, 2020 and could be redeemed daily with no redemption notice period or other redemption restrictions.

Mutual funds - Shares of mutual funds are stated at net asset value, which are readily determinable fair values of those shares as they are published daily and are the basis for current transactions.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Net appreciation in the fair value of investments consists of the unrealized appreciation or depreciation of investments held during the year and the realized gain or loss on investments sold during the year.

Notes receivable from participants - Participant loans are measured at their unpaid principal balance plus accrued interest.

Payment of benefits - Benefits are recorded when paid.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(3) Fair value measurements

The following table sets forth by level, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2021.

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
Mutual funds	\$ 28,323,700	\$ -	\$ -	\$ 28,323,700

The following table sets forth by level, within the fair value hierarchy, the Plan's investments at fair value as of December 31, 2020.

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Total</u>
Mutual funds	\$ 9,016,494	\$ -	\$ -	\$ 9,016,494
Common/collective trust*	-	-	-	197,642
Total investments	<u>\$ 9,016,494</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 9,214,136</u>

* In accordance with Subtopic 820-10, certain investments that are measured using net asset value per share (or its equivalent) as a practical expedient for fair value have not been classified in the fair value hierarchy. The fair value amounts presented in this table are intended to permit reconciliation of the fair value hierarchy to the amounts presented in the statements of net assets available for benefits.

(4) Information certified by the Plan's trustee

The Plan administrator has elected the method of annual reporting compliance permitted by ERISA Section 103(a)(3)(C) pursuant to 29 CFR 2520.103-8 of the Department of Labor's ("DOL") Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, Fidelity Management Trust Company, the Plan's trustee, has certified that the following data included in the accompanying financial statements and supplemental schedule is complete and accurate:

- Investments
- Notes receivable from participants
- Interest and dividends
- Net appreciation in fair value of investments
- Interest income on notes receivable from participants
- Schedule of assets (held at end of year)

The Plan's independent public accountants did not perform auditing procedures with respect to this information, except for comparing such information to the related information included in the financial statements and supplemental schedule.

(5) Risks and uncertainties

The Plan provides for various investment fund options, which in turn, invest in any combination of stocks, bonds and other investment securities. Investment securities are exposed to various risks, such as interest rate, market and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in risks in the near term could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits and the statement of changes in net assets available for benefits.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(6) Party-in-interest transactions

During the year ended December 31, 2021, the Plan paid Fidelity Workplace Services LLC fees for recordkeeping and contract administration services; therefore, these transactions qualify as party-in-interest transactions. Fees paid by the Plan to Fidelity totaled \$24,736 for the year ended December 31, 2021.

(7) Plan termination

Although it has not expressed any intent to do so, the Company has the right under the Plan to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA. In the event of Plan termination, participants would become 100% vested in their employer contributions.

(8) Income tax status

The Plan has adopted a Prototype Plan which has obtained a favorable opinion letter from Internal Revenue Service dated March 31, 2014 stating that the Prototype Plan was designed in accordance with the applicable regulations of the Internal Revenue Code. The Plan administrator has not obtained an individual determination letter for the Plan. The Prototype Plan has been amended since receipt of the opinion letter. The Plan sponsor and the Plan administrator believe that the Plan is currently designed and being operated in compliance with the applicable requirements of the Internal Revenue Code and that the Plan and related trust continue to be tax-exempt. Therefore, no provision for income taxes has been included in the Plan's financial statements.

(9) Excess participant contributions refundable

The Plan failed to pass the Average Deferral Percentage ("ADP") test for the years ended December 31, 2021 and 2020. The statements of net assets available for benefits as of December 31, 2021 and 2020 include \$90,848 and \$39,685 of excess participant contributions refundable related to these failed tests, respectively. In addition, the statement of changes in net assets available for benefits for the year ended December 31, 2021 includes the \$90,848 as a reduction of participant contributions.

(10) Subsequent events

The Plan's management has evaluated subsequent events through November 14, 2022, which is the date the financial statements of the Plan were available to be issued.

(11) Nonexempt transactions

Plan management determined that certain contributions submitted by the Plan Sponsor during the 2021 Plan year were remitted late based upon guidelines established by the Department of Labor. These contributions totaled \$40,496 and Plan Management is in the process of funding one contribution and remitting lost earnings for all of the delinquent contributions, which are not material to the financial statements as a whole.

SUNLAND ASPHALT AND CONSTRUCTION EMPLOYEES 401(k) SAVINGS PLAN

NOTES TO FINANCIAL STATEMENTS

December 31, 2021 and 2020

(12) Reconciliation of financial statements to Form 5500

The following is a reconciliation of the statements of net assets available for benefits as reported in the financial statements to the Form 5500 as of December 31:

	<u>2021</u>	<u>2020</u>
Net assets as reported in the financial statements	\$ 28,631,142	\$ 9,337,787
Participant contributions receivable at December 31	(39,508)	(21,484)
Employer contributions receivable at December 31	(12,147)	-
Excess contributions refundable at December 31	90,848	39,685
Net assets as reported in the Form 5500	<u>\$ 28,670,335</u>	<u>\$ 9,355,988</u>

The following is a reconciliation of changes in net assets available for benefits as reported in the financial statements for the year ended December 31, 2021 to the Form 5500:

Net change as reported in the financial statements	\$ 6,095,197
Participant contributions receivable at December 31, 2020	21,484
Participant contributions receivable at December 31, 2021	(39,508)
Employer contributions receivable at December 31, 2021	(12,147)
Excess contributions refundable at December 31, 2020	(39,685)
Excess contributions refundable at December 31, 2021	90,848
Net income as reported in the Form 5500	<u>\$ 6,116,189</u>

SUPPLEMENTAL SCHEDULES

SUNLAND ASPHALT AND CONSTRUCTION

EMPLOYEES 401(k) SAVINGS PLAN

PLAN: 001

EIN: 86-0455988

SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS

Year ended December 31, 2021

Participant Contributions Transferred Late to the Plan			Check Here if Late Participant Loan Repayments Are Included	Total That Constitutes Nonexempt Prohibited Transactions			Total Fully Corrected Under Voluntary Fiduciary Correction Program and PTE 2002-51
				Contributions Not Corrected	Contributions Corrected Outside Voluntary Fiduciary Correction Program	Contributions Pending Correction in Voluntary Fiduciary Correction Program	
Amount Withheld	Date Withheld	Date Remitted					
\$ 1,999	9/17/2021	11/11/2021	X	\$ 1,999	\$ -	\$ -	\$ -
99	10/1/2021	11/16/2021	X	99	-	-	-
38,260	10/8/2021	11/2/2021	X	38,260	-	-	-
138	12/10/2021			138	-	-	-
<u>\$ 40,496</u>				<u>\$ 40,496</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**SUNLAND ASPHALT AND CONSTRUCTION
EMPLOYEES 401(k) SAVINGS PLAN**

PLAN: 001
EIN: 86-0455988

SCHEDULE H, LINE 4(i) – SCHEDULE OF ASSETS (HELD AT END OF YEAR)

December 31, 2021

(a)	(b) Identity of issue, borrower, lessor, or similar party	(c) Description of investment including maturity date, rate of interest, collateral, par or maturity value	(d) Cost	(e) Current value
Mutual funds				
	Pimco	Multisector Bond	**	\$ 731,177
	Brandywineglobal	Global Bond	**	293,355
	Guggenheim	Limited Duration Fund	**	566,242
	BlackRock	Growth Equity Fund	**	418,431
	Columbia	Dividend Income Fund	**	2,682,775
	Goldman Sachs	International Opportunities Fund	**	1,097,569
	Vanguard	Money Market Fund	**	644,226
	Vanguard	Markets Index Fund	**	40,032
	DFA	Real Estate Securities Portfolio	**	230,280
	DFA	Inflation Protected Securities Portfolio	**	357,651
	RBC	Markets Equity Fund	**	461,737
	AQR	Defensive Style Fund	**	2,165,651
	DoubleLine	Total Return Bond Fund	**	1,013,238
*	Fidelity	Growth Fund	**	3,589,422
*	Fidelity	Index Income Fund	**	697,573
*	Fidelity	Index 2020 Fund	**	689,301
*	Fidelity	Index 2025 Fund	**	3,225,153
*	Fidelity	Index 2030 Fund	**	3,750,169
*	Fidelity	Index 2035 Fund	**	546,517
*	Fidelity	Index 2040 Fund	**	945,995
*	Fidelity	Index 2045 Fund	**	927,793
*	Fidelity	Index 2050 Fund	**	1,054,273
*	Fidelity	Index 2015 Fund	**	8,684
*	Fidelity	500 Index Fund	**	495,638
*	Fidelity	Index 2055 Fund	**	508,420
*	Fidelity	Mid Cap Index Fund	**	16,611
*	Fidelity	Small Cap Index Fund	**	728,862
*	Fidelity	Index 2060 Fund	**	204,838
*	Fidelity	Value Index Fund	**	13,628
*	Fidelity	Growth Index Fund	**	12,883
*	Fidelity	Value Index Fund	**	113,728
*	Fidelity	Index 2065 Fund	**	91,848
	Total mutual funds			<u>28,323,700</u>
Participant loans				
		Notes receivable with maturity dates through March 2027 and interest ranging from 5.25% to 7.50%	-0-	<u>346,635</u>
				<u>\$ 28,670,335</u>

* Denotes a party-in-interest

** Cost information not required for participant directed investments