

**AMENDMENT NO. 1
TO THE TWELFTH RESTATEMENT OF THE
PLAN DOCUMENT OF THE
BOILERMAKER-BLACKSMITH NATIONAL PENSION TRUST**

Effective January 1, 2010, the Plan Document, Amended and Restated as of October 1, 2009, shall be amended as follows:

1. **Section 1.36. Supplemental Contributions**, is deleted in its entirety and the following language substituted therefore:

Section 1.36. Supplemental Contributions. That portion of Contributions which is designated by the Trustees as excluded from benefit accruals under the Plan. The amount of a Participant's Supplemental Contributions shall be equal to 15% of all Contributions credited to such Participant for work in Covered Employment performed between February 1, 2009 and December 31, 2009. The amount of a Participant's Supplemental Contributions shall be as prescribed in Section 11.13 of the Plan Document for all Contributions credited to such Participant for work in Covered Employment performed on or after January 1, 2010. Supplemental Contributions shall be added as a general asset to the corpus of the Trust.

2. **Article XI** shall be amended by adding a new **Section 11.13**, which shall read as follows:

Section 11.13. Minimum Contribution Rate. Notwithstanding any term or condition to the contrary that may be contained in a Collective Bargaining Agreement or Participation Agreement, all Contributions required to be made to this Pension Trust shall be due and payable at a rate not less than the Minimum Contribution Rate prescribed herein for each relevant job classification.

For purposes of this Section 11.13, the term "Base Contribution Rate" shall mean the Contribution rate in effect as of September 30, 2008, for each relevant job classification in the applicable Collective Bargaining Agreement or Participation Agreement, whether such agreement is current or a predecessor to the current agreement. With regard to a Collective Bargaining Agreement or Participation Agreement that first becomes effective on or after October 1, 2008, the term "Base Contribution Rate" shall mean the Contribution rate in effect as of the effective date of such agreement for each relevant job classification in the applicable Collective Bargaining Agreement or Participation Agreement, whether such agreement is current or a predecessor to the current agreement. Where the applicable Collective Bargaining Agreement or Participation Agreement defines the Contribution rate as a percentage of compensation, the Base Contribution Rate shall be equal to that percentage.

Effective January 1, 2010, the Minimum Contribution Rate shall be as prescribed in the schedule contained in the following table:

<u>Dates of Work in Covered Employment</u>	<u>Minimum Contribution Rate</u>
Jan. 1, 2010 – Dec. 31, 2010	135% of the Base Contribution Rate.
Jan. 1, 2011 – Dec. 31, 2011	170% of the Base Contribution Rate.
Jan. 1, 2012 – Dec. 31, 2012	205% of the Base Contribution Rate.
Jan. 1, 2013 – Dec. 31, 2013	240% of the Base Contribution Rate.
On or after Jan. 1, 2014	275% of the Base Contribution Rate.

From January 1, 2010 through December 31, 2014, all Contributions attributable to the Base Contribution Rate shall be Regular Contributions; all other Contributions shall be Supplemental Contributions. On and after January 1, 2015, all Contributions attributable to the Base Contribution Rate and all Contributions in excess of those attributable to the Minimum Contribution Rate shall be Regular Contributions; all other Contributions shall be Supplemental Contributions.

The Plan Document of the Boilermaker-Blacksmith National Pension Trust shall be amended to incorporate the foregoing Amendment No. 1 together with such changes in form as may be necessary to effectuate the purposes thereof.

Dated: October 22, 2009

Union Trustees

Paul M. Maday

B. Allen Meyers

John J. Shegmoist

James W. ...

Lawrence J. ...

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Employer Trustees

[Signature]

John E. ...

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