

OTHER PROVISIONS

- 20. Special effective dates (select any that apply) (if a. or b. selected, an appendix to the Adoption Agreement will be generated)
a. In-Plan Roth Rollover Contributions (may only be selected with 11.b.; may be left blank if same as Plan or Restatement Effective Date)
b. Post-severance compensation. If this is a PPA restatement and the post-severance compensation adjustments above for 415 Compensation or Plan Compensation applied other than the first day of the Plan Year beginning on or after July 1, 2007, then enter the date such provisions were first effective (leave blank if not applicable)
21. Special Trustee for collection of contributions (may only be selected with 12.b. if 12.b.1. has not been selected; leave blank if not applicable)
a. The Employer appoints the following Special Trustee with the responsibility to collect delinquent contributions pursuant to Plan Section 7.1(b)
Title
1.
Address and telephone number (skip if 21.a. not selected)
b. Use Employer address and telephone number
c. Use address and telephone number below:
1. Address
2. City
3. State
4. Zip
5. Telephone

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OTHER PLAN PROVISIONS

- 27. In-Plan Roth Transfers
a. Include In-Plan Roth Transfers. (applies only if Roth Elective Deferrals are permitted; answer 27. as applicable)
Effective Date. This Amendment is effective: (may be left blank if same as Plan or Restatement Effective Date)
1.
(enter date not earlier than January 1, 2013.)
28. Hardship provisions of the Budget Act of 2018.
a. Include hardship provisions (only applies to 401(k)) (applies only if the Plan permits hardship distributions; answer below as applicable)
Default provisions: Effective for first PY beginning in 2019; loans and 6-month suspension are not required; earnings on elective deferrals may be withdrawn (if plan permits hardship of elective deferrals); and hardship needs include residential casualty losses and disaster losses.
Termination of deferral suspension. If a Participant received a hardship distribution before the Effective Date, will the Participant be able to resume deferrals after the Effective Date? (must select b. or c.)
b. Yes. Beginning on the Effective Date, Elective Deferrals will not be suspended on account of a hardship distribution, regardless of the date of the distribution
c. No. The Participant's suspension of Elective Deferrals begun before the Effective Date will continue as originally scheduled.
NOTE: Elective Deferrals can no longer be suspended with respect to any hardship distribution made on or after January 1, 2020.

Expansion of sources available for a hardship distribution. Pursuant to Amendment Section 3.2, are the QNECs and QMACs available for hardship distributions? (must select d. or e.)
d. Yes. QNECs and QMACs are available for hardship distributions.
e. No. QNECs and QMACs are not available for hardship distributions.

- 29. Hardships. Skip selections a. - d. below if you accept the default provisions listed at 106 above. Any entry in selections a. - d. below will override those defaults.

Loan Requirement. The provisions of Amendment Section 3.1(b), requiring recipients of hardship distributions to take available nontaxable loans, will NOT apply unless selected below:

- a. Amendment Section 3.1(b) APPLIES (i.e., Participants are required to obtain a Plan loan) indefinitely, unless and until the Plan is further amended.

Expansion of sources available for a hardship distribution. Earnings on amounts attributable to Elective Deferrals are available for hardship distribution, unless selected below:

- b. Earnings on amounts attributable to Elective Deferrals are NOT available for hardship distributions.

Hardship needs/events. The provisions of Amendment Sections 3.3 (relating to residential casualty losses) and 3.4 (relating to Disaster Losses) apply as of January 1, 2018, or as soon as practical thereafter, unless otherwise elected below:

- c. Amendment Section 3.3 will NOT apply (and so casualty losses are limited to federally declared disasters, pursuant to Code §165(h).
d. Amendment Section 3.4 will NOT apply (and so the Plan will not make hardship distributions on account of Disaster Losses).

Effective Dates. Unless otherwise selected below, the Effective Date is the first day of the first Plan Year beginning after December 31, 2018, or as soon as administratively feasible thereafter, and in no event later than the Latest Effective Date. Except as otherwise specified in this Amendment, all provisions are effective on the Effective Date.

- e. Other general Effective Date: (may not be earlier than the first day of the first Plan Year beginning on or after January 1, 2019 or after the Latest Effective Date).
f. Special Effective Date for Amendment Section 2.2a: (Enter a special effective date, no sooner than the first day of the 2019 Plan Year).
g. Special Effective Date for Amendment Section 2.3a: (Enter a special effective date, no sooner than the first day of the 2019 Plan Year)
h. Special Effective Date for Amendment Section 2.3b: (Enter a special effective date, no sooner than the first day of the 2019 Plan Year)
i. Special Effective Date for Amendment Section 2.3c: (Enter a special effective date for the expansion of hardship needs/events, no sooner than January 1, 2018)

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DOCUMENT REQUESTS

- 40. Do you want an Adoption Agreement
a. No
b. Yes
Font Options for Adoption Agreement (default is 9pt times unless otherwise selected below)
1. 8.5pt Arial

E-Sign. Select the option below if the Adoption Agreement will be signed electronically (i.e., using an e-signature) (leave blank if not applicable)

- c. The Adoption Agreement will be signed electronically (if selected, "signed electronically" will be inserted in the signature lines of the Adoption Agreement)

Discretionary amendments. Include the following discretionary amendment(s)? (leave blank if not applicable)

- d. In-Plan Roth Transfers (applies only if 27a selected)
- e. **Include Amendment removing restriction on forfeitures reducing QNECs, QMACs and SH contributions** (sponsor level amendment unless 2. below is selected) (only applies to 401(k))
1. Include signature lines for sponsor (rather than "signature on file")
 2. No sponsor-level amendment (Employer must sign)
- f. **Include Amendment for hardship provisions of the Budget Act of 2018** (applies only if 28a selected) (must select 1. or 2.) (Note: if FIS is on the IRS opinion or advisory letter, must select option. 2. below)
1. Sponsor level amendment (signature on file unless a. selected below)
 - a. Include signature lines for sponsor (rather than "signature on file")
 2. No sponsor-level amendment (Employer must sign)

SMM. Include the following SMM? (leave blank if not applicable)

- g. Include an SMM for **hardship provisions of the Budget Act of 2018** (applies only if 28a selected)

41. Basic Supporting Forms

- a. No basic forms
- b. Includes all forms--SPD-8.5 x 11, Annual Notices, Tax Notices (402(f)), Administrative Forms with Guide and Resolution
- c. Select Individual Forms
 1. SPD-8.5 x 11
 2. Resolution
 3. Tax Notices (402(f))
 4. Administrator's Guide
 5. Administrative Forms (select all that apply)
 - a. General Forms
 - b. Distribution Forms (General)
 - c. Distribution Forms (Death)
 - d. Distribution Forms (In-Service)
 - e. Loan Forms (applies only if loans to Participants are permitted)

To the Plan Administrator - Explanation of Forms

Many of the forms packages include an explanation to the Plan Administrator as the first page of the forms package unless d. is selected below

- d. Do NOT include administrator page with forms packages.

42. Format - Supporting Forms (if no selection is made defaults apply) Font Options (default is 9pt times unless otherwise selected below)

- a. 8.5pt Arial

Drafting Preferences (default is single spacing, ragged margins unless otherwise selected below)

- b. Single, right justified
- c. Double, ragged
- d. Double, right justified

43. SPD (8.5 x 11). Include headers and/or footers (leave blank if not applicable)

- a. Yes (select all that apply)
1. Header for SPD: _____
 2. Footer for SPD: _____
 3. Footer for SPD title page:
 - a. _____
 - b. same as footer at 2. above.

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SUPPORTING FORMS INFORMATION

47. SPD. COLA - update the SPD for the 2021 limits (optional) (Note: The SPD and forms currently reflect the 2020 dollar limitations on benefits and contributions)

- a. Include amounts for the 2021 tax year as follows: (select all that apply) (a3 – a4 applies only for 401(k))
1. Annual compensation limit (401(a)(17)) \$ _____
 2. 415 dollar limit: \$ _____
 3. Regular 401(k) deferral limit: \$ _____
 4. Regular 401(k) catch-up limit: \$ _____

SPD. Include optional language (leave blank if not applicable)

- b. Yes, include the following:
1. Spanish Text. Include in introduction (refers participants to Plan Administrator)
 - a. Plan Administrator Office Hours _____ (optional)

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