FORM 4

Check this box if no longer subject to

Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940 OMB Number: 3235-0287 Estimated average burden hours per response: 0.5

| Check this box to indicate that a |
|-----------------------------------------------|
| transaction was made pursuant to a |
| contract, instruction or written plan for the |
| purchase or sale of equity securities of the |
| issuer that is intended to satisfy the |
| affirmative defense conditions of Rule |
| 10b5-1(c). See Instruction 10. |
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| in that is a life of the pointing i broom | | | 2. Issuer Name and Ticker or Trading Symbol <u>Construction Partners, Inc.</u> [ROAD] | 5. Relationship of Reporting Person(s) to Issuer (Check all applicable) Director 10% Owner |
|-------------------------------------------|---------|-------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 1 | | , | 3. Date of Earliest Transaction (Month/Day/Year) 12/13/2023 | X Officer (give title Other (specify below) Senior Vice President, Legal |
| (Street) DOTHAN | AL | 36303 | 4. If Amendment, Date of Original Filed (Month/Day/Year) | 6. Individual or Joint/Group Filing (Check Applicable Line) X Form filed by One Reporting Person Form filed by More than One Reporting Person |
| (City) | (State) | (Zip) | Derivative Securities Acquired Disposed of as Repo | |

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | Code (Ir | Transaction Disposed Of (D) (Instr. Code (Instr. | | | | 5. Amount of Securities Beneficially Owned Following Reported | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | Beneficial Ownership |
|---------------------------------|--------------------------------------------|-------------------------------------------------------------|----------|--------------------------------------------------|--------------------|---------------|-------------|------------------------------------------------------------------------|-------------------------------------------------------------------|-------------------------|
| | | | Code | v | Amount | (A) or (D) | Price | Transaction(s) (Instr. 3 and 4) | | (Instr. 4) |
| Class A Common Stock | 12/13/2023 | | A | | 2,767(1) | A | \$ <u>0</u> | 35,419 | D | |
| Class A Common Stock | 12/13/2023 | | A | | 615 ⁽²⁾ | A | \$ <u>0</u> | 36,034 | D | |
| Class A Common Stock | 12/13/2023 | | A | | 1,276(3) | A | \$ <u>0</u> | 37,310(4) | D | |
| Class A Common Stock | 12/14/2023 | | F | | 812(5) | D | \$43.35 | 36,498(4) | D | |

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transac Code (In 8) | | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | | 6. Date Exercisable and Expiration Date (Month/Day/Year) | | 7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4) | | 8. Price of Derivative Security (Instr. 5) | 9. Number of derivative Securities Beneficially Owned Following Reported | 10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 11. Nature of Indirect Beneficial Ownership (Instr. 4) |
|-----------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------------------|---------------------------------|---|----------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------|--------------------|--------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--------------------------------------------------------------------|
| | | | | Code | v | (A) | (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares | | Transaction(s) (Instr. 4) | | |
| Restricted Stock Units | (6) | 12/13/2023 | | A | | 1,276 | | (7) | (7) | Class A Common Stock | 1,276 | \$0 | 1,276 | D | |

Explanation of Responses:

1. On December 29, 2021, the reporting person was granted 3,208 performance-based restricted stock units ("PSUs") pursuant to the Construction Partners, Inc. 2018 Equity Incentive Plan (the "Plan"). The PSUs vested in a single lump-sum based on the satisfaction by Construction Partners, Inc. (the "Issuer") of certain performance criteria for the three-year period comprising the 2021, 2022 and 2023 fiscal years. The performance criteria for were partially met, resulting in the vesting of 2,767 PSUs.

2. The reported transaction represents a grant of immediately vested shares of Class A common stock, \$0.001 par value ("Class A common stock"), of the Issuer under the Plan.

3. The reported transaction represents a grant of restricted shares of Class A common stock of the Issuer with time-based vesting criteria under the Plan. The shares of Class A common stock subject to the reported award vest in one-fourth installments on September 30, 2024, 2025, 2026 and 2027. Under the terms of the award agreement, the reporting person has sole voting power with respect to the reported shares.

4. Includes 30,859 restricted shares of Class A common stock with time-based vesting criteria granted under the Plan that vest as follows: (i) 15,047 shares on September 30, 2024, (ii) 14,358 shares on September 30, 2025, (iii) 1,135 shares on September 30, 2026, and (iv) 319 shares on September 30, 2027. Under the terms of the respective award agreements, the reporting person has sole voting power with respect to the reported shares.

5. Represents shares of Class A common stock surrendered to the Issuer to satisfy tax withholding obligations upon the vesting of the PSUs.

6. Each restricted stock unit represents a contingent right to receive cash in an amount equal to the value of one share of Class A common stock on the applicable vesting date.

7. The restricted stock units vest in one-fourth installments beginning on the first September 30 following the grant date and on September 30 of each of the next three succeeding years.

Remarks:

<u>/s/ Judson Ryan Brooks</u>

** Signature of Reporting Person

<u>12/13/2023</u> Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

* If the form is filed by more than one reporting person, see Instruction 4 (b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.