

# Office of Chicago City Clerk



O2011-3950

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:

Sponsor(s):

Type:

Title:

Committee(s) Assignment:

5/**4/20**11

Clerk Del Valle

**O**rdinance

Zoning Reclassification App. No. 17262

Committee on Zoning

### ORDINANCE

## BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1: That the Chicago Zoning Ordinance be amended by changing all Residential Business Planned Development No. 26, symbols and designations as shown on Map No. 6-E in the area bounded by

East 25<sup>th</sup> Street; a line 709.50 feet west of and parallel to South Dr. Martin Luther King, Jr. Drive; East 26<sup>th</sup> Street; and the alley west of and parallel to South Michigan Avenue,

to the designation of a Residential Business Planned Development No. 26, as amended, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 2: This Ordinance shall be in force and effect from and after its passage and due publication.

# # 17262 INT-DATE: 5-411

and the second second

# CITY OF CHICAGO

## APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

1.	ADDRESS of the	property Applie	cant is seeking	ng to rez	one:		1
	2500-58 and 2	501-59 S. Michi	igan Ave; 4	<u>3-237 E.</u>	25th St. a	nd 44-236 E. 20	6th St.
2.	Ward Number that	at property is loc	ated in:	2nd			· · · · · ·
3.	APPLICANT	Mercy Hospital	and Medica	1 Center	- not for j	profit	
	ADDRESS	2525 S. Michiga	an Avenue				
	CITYChic						
	PHONE 312-5	67-2255	CONTAC	T PERSO	DN <u>Rick</u>	Cerceo	
4.	Is the applicant the splicant is regarding the own proceed.	not the owner o ner and attach wi	f the propert ritten author	y, please ization fi	provide the om the owne	following informer allowing the a	nation pplication to
	CITY		_STATE		ZIP COI	DE	<u></u>
	PHONE	. <u></u>	_CONTAC	T PERSO	DN		
5.	If the Applicant/ rezoning, please				lawyer as the	ir representative	e for the
	ATTORNEY	John J. Georg	ge / Chris /	A. Leach			
	ADDRESS 2	0 S. Clark St.			CITY	Chicago, IL	60603
	PHONE 3	12-726-8797			FAX	312-726-8819	

Mercy Health System of Chicago - Parent Corp					
	Sister of Mercy of the Americas, West Midwest Community -				
	Sole corporate member of parent				
	On what date did the owner acquire legal title to the subject property? Various Dates				
	Has the present owner previously rezoned this property? If yes, when? Yes, September 14, 2005				
	RBPD No. 26         Present Zoning District         i         i         i         i				
	Lot size in square feet (or dimensions) 579,881 sq. ft.				
	Current Use of the property Hospital				
	Reason for rezoning the propertyTechnical amendment to correct the Net Site Area o planned development				
	Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any cominercial space; and height of the proposed building. (BE SPECIFIC)				
	Hospital with a maximum height of 200 feet with a minimum of 798 parking spaces.				

(ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)

YES\_\_\_\_\_ NO\_\_X

### COUNTY OF COOK STATE OF ILLINOIS

Sr. Sheila Lyne, RSM \_\_\_\_\_, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Signature of Applicant

Subscribed and Sworn to before me this  $25^{44}$  day of <u>April</u>, 20<u>1</u>

Dandes a Ochueler Notary Public

 $(\odot)$ 

For Office Use Only

Date of Introduction:

File Number:\_\_\_\_\_

Ward:

April 27, 2011

Honorable Daniel S. Solis Chairman, Committee on Zoning City Hall – Room 304 121 N. LaSalle St. Chicago, Illinois 60602

> Re: Zoning Amendment Application Mercy Hospital and Medical Center 2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25<sup>th</sup> St.; and 44-236 E. 26<sup>th</sup> St., Chicago, Illinois

The undersigned, Chris A. Leach, being first duly sworn on oath deposes and states the following:

The undersigned certifies that he has complied with the requirements of Section 17-13-0107 of the Chicago Zoning Ordinance, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. Said "written notice" was sent by First Class U.S Mail, no more than 30 days before filing the application.

The undersigned certifies that the notice contained the address of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file the application for a change in zoning on approximately April 27, 2011.

The undersigned certified that the applicant has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject site is a complete list containing the names and addresses of the people required to be served.

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Chris A. Leach



Subscribed and sworn to before methics April 27, 2011.

Notary Public

#### JOHN J. GEORGE

Attorney at Law Two First National Plaza Suite 400 20 South Clark Street Chicago, Illinois 60603-1903

(312) 726-8797

April 27, 2011

USPS First Class Mail

Re: Zoning Amendment Application 2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25<sup>th</sup> St.; and 44-236 E. 26<sup>th</sup> St., Chicago, Illinois

Dear Property Owner or Resident:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, please be informed that on or about April 27, 2011, 1, the undersigned attorney, will file an application to amend Residential Business Planned Development No. 26 to correct the net site area of the Residential Business Planned Development No. 26, on behalf of the Applicant for the property located at 2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25<sup>th</sup> St.; and 44-236 E. 26<sup>th</sup> St., Chicago, Illinois and bounded by East 25<sup>th</sup> Street; a line 761.44 east of and parallel to South Michigan Avenue; East 26<sup>th</sup> Street; and the alley west of and parallel to South Michigan Avenue.

The purpose of the proposed amendment is to correct the net site area of Mercy Hospital's campus as currently stated in Residential Planned Development No. 26 from that of 622,202 sq. ft. (14.28 acres) to that of 579,881 sq. ft. (13.31 acres).

The Applicant and Owner of the property is Mercy Hospital and Medical Center, whose address is 2525 S. Michigan Ave., Chicago, Illinois 60616.

I am the attorney for the Applicant. My address is 20 South Clark Street, Suite 400, Chicago, Illinois 60603.

Please note that the Applicant is not seeking to purchase or rezone your property. The Applicant is required by law to send you this notice because you own property located within 250 feet of the proposed development.

Very Truly Yours,

John J. George

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

### SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

Mercy Hospital and Medical Center

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [X] the Applicant
  - OR
- 2. [] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest:
   OR

3. [] a legal entity with a right of control (see Section ILB.1.) State the legal name of the entity in which the Disclosing Party holds a right of control:

В.	Business address of the Disclosing Party:	2525 S. Michigan Avenue		
	-	Chicago, IL 6	0616	
<b>C</b> .	Telephone: <u>312-567-2580</u> Fax: <u>312-56</u>	67-2234	Email: <u>ichan@nercy-chlcago.org</u>	
D.	Name of contact person: Thomas J. Garvey		_	
E.	Federal Employer Identification No. (if you ha	ve one):		
F. wh	Brief description of contract, transaction or oth ich this EDS pertains. (Include project number JSOO- PD 26 Zoning Amendment Application SF. 44	ter undertaking and location o SF+ 2501-54	(referred to below as the "Matter") to f property, if applicable): IS Michigan Ave: 43-237 E. 15-10	
	PD 26 Zoning Amendment Application SF. 44	4-236 E. 26	st.	

G. Which City agency or department is requesting this EDS? Department of Housing and Economic Development

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following: N/A

Specification #\_\_\_\_\_ and Contract #\_\_\_\_\_

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing P	arty:
[] Person	[] Limited liability company
[] Publicly registered business corporation	[] Limited liability partnership
[] Privately held business corporation	[] Joint venture
[] Sole proprietorship	[X] Not-for-profit corporation
[] General partnership	(Is the not-for-profit corporation also a 501(c)(3))?
[] Limited partnership	XX Yes [] No
[] Trust	[] Other (please specify)

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Illinois

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

[] Yes [] No [X] N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liabihty company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf

Name	Title
Sister Sheila Lyne, RSM	President and CEO
Board of Directors (See attached list)	
Mercy Health System of Chicago - Corpora	ite Parent
Sister of Mercy of the Americas, West M	idwest Community - Sole corporate member of parent

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party		
N/A				

### SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

[]Yes [X] No

ø

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

### SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether Busine retained or anticipated Addre to be retained)		Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) <b>NOTE:</b> "hourly rate" or "t.b.d." is	
John J. George		Attorney	not an acceptable response. \$15,000 est.	
20 S. Clark St., Suite 400				
Chicago, IL 60603				

# (Add sheets if necessary)

[] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

# SECTION V -- CERTIFICATIONS

# A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obhgations by any Illinois court of competent jurisdiction?

[] Yes [] No [] No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in comphance with that agreement?

[]Yes []No

# **B. FURTHER CERTIFICATIONS**

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Apphcant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Apphcant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I apphes to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;

4

• any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

• any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affihated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affihated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

None

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

# C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

[] is [X] is not

,

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

# D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

I. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[] Yes [X] No

NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

[]Yes []No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest
	······································	

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

# E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

 $\chi$  1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

# SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

?

# A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

	 ·	
None		

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Apphcant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# **B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY**

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

KX Yes [] No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.) [X] No

[]Yes

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

K Ycs []No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

[]Yes [X] No

If you checked "No" to question 1. or 2. above, please provide an explanation: Do not participate in any federal contracts requiring an affirmative action plan.

# SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, **COMPLIANCE, PENALTIES, DISCLOSURE**

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.citvofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes acfion on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

F.I. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to behave has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

### CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

Mercy Hospital and Medical Center

(Print or type name of Disclosing Party)

By: <u>Aleila</u> Li (Sign here)

Sr. Sheila Lyne, RSM (Print or type name of person signing)

President and CEO (Print or type title of person signing)

Signed and sworn to before me on (date) <u>A5, 2011</u> at <u>Cool</u> County, <u>Ulirois</u> (state).

Dardia Q. Ochueler Notary Public.

Commission expires:  $3|_{10}|_{15}$ 



## CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B. 1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive tilector, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currendy have a "familial relationship" with an elected city official or department head?

[] Yes [X] No

. . .

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise name of such familial relationship.

2 . . . .

Mercy Health System of Chicago and Mercy Hospital and Medical Center Chicago, Illinois

# BOARD OF DIRECTORS 2010-2011

Mr. William Brown

Ms. Susan Gallagher - Vice Chair and Secretary

Mr. Elzie Higginbottom

Mr. William Kresse

Sister Sheila Lyne, RSM

# Mr. John McCarthy - Chair

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Sister Lenore Mulvihill, RSM

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Mr. Langdon Neal

Steven Potts, D.O.

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Renee Togher

Rohitkumar Vasa, MD

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

### SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Incl	ude d/b/a/ if applicable:
---	---------------------------

Mercy Health System of Chicago

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant OR

- 2. [X] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: <u>Mercy Hospital and Medical Center</u> OR
- 3. [] a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B.	Business address of the Disclosing Party:	2525 S. Michrigan Avenue		
		Chicago, I	L 60616	
<b>C</b> .	Telephone: <u>312-567-2580</u> Fax: <u>312-</u>	567-2234	Email:	Ichan@mercy-chicago.org
D.	Name of contact person: Thomas J. Garve	y		
E.	Federal Employer Identification No. (if you h	ave one):		
	Brief description of contract, transaction or ot tich this EDS pertains. (Include project numb 2500 PD 26 Zoning Amendment Application E.23			
	PD 26 Zoning Amendment Application $E.2$	5Hh St. +	47-256	E Hoth st.

G. Which City agency or department is requesting this EDS? Department of Housing and Economic Development

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following: N/A

Specification #	and Contract #

### **SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	urty:
[] Person	[] Limited liability company
[] Publicly registered business corporation	[] Limited liability partnership
[] Privately held business corporation	[] Joint venture
[] Sole proprietorship	[X] Not-for-profit corporation
[] General partnership	(Is the not-for-profit corporation also a 501(c)(3))?
[] Limited partnership	[]Yes []No
[] Trust	[] Other (please specify)

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Illinois

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

[] Yes [] No [X] N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, hst below the legal tideholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, hst below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Title
President/CEO
st)
lest Midwest Community - Sole corporate member of MHS

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name N/A	Percentage Interest in the Disclosing Party
·	

### SECTION III --- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

[]Yes [X] No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

## SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether B retained or anticipated A to be retained)

Business Address Reladonship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)

Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary)

[X] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

#### SECTION V -- CERTIFICATIONS

#### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[] Yes [] No [X] No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in comphance with that agreement?

[]Yes []No

### **B. FURTHER CERTIFICATIONS**

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currendy indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent comphance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11.B.1. of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjutiged guilty, or had a civil jutigment rendered against them in connection with: obtaining, attempting to obtain, or performing a puble (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;

• any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal endties disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

• any "Affihated Entity" (meaning a person or entity that, directly or indirecdy: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibihty of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affihated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understantis and shall comply widi the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

None

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

# C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

[] is [X] is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

# D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[] Yes [x] No

NOTE: If you checked "Ycs" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

[]Yes []No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter wdl be acquired by any City official or employee.

# E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

 $\chi$  1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance pohcies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

Page 8 of 13

# SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of tiebt obligations of the City are not federal funding.

# A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

	 	·····	
None			

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# **B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY**

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

[]Yes M No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.) [] No

[]Yes

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

[]Yes [] No

3. Have you participated in any previous contracts or subcontracts subject to the equal oppormnity clause?

[] No []Yes

If you checked "No" to question 1. or 2. above, please provide an explanation:

# SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with ah statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or voiti), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Informadon Act request, or otherwise. By completing anti signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affihated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

## CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all ccrtifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

Mercy Health System of Chicago (Print or type name of Disclosing Party)

By: A Aprila Lepic (Sign here)

Sr. Sheila Lyne, RSM (Print or type name of person signing)

President and CEO

(Print or type title of person signing)

Signed and	sworn to before me on	(date) 25h	y a	ord	2011 ,
at Coo	County, U	lirois (	(state).		

<u> $\rho$ ordia  $\alpha$  <u> $\rho$ chueler</u> Notary Public. Commission expires: <u>3/10/15</u>.</u>

	OFFICIAL SEAL
	SANDRA A SCHUELER
. 1	NOMIRY PUBLIC - STATE OF ILLMOIS
	MY COMMISSION EXCREMINING

### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

#### FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial reladonship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

[] Yes [X] No

If yes, please identify below (1) the name and tide of such person, (2) the name of the legal entity to which such person is connected; (3) the name and tide of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

Mercy Health System of Chicago and Mercy Hospital and Medical Center Chicago, Illinois

# BOARD OF DIRECTORS 2010-2011

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200

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# Residential-Business Planned Development Number 26 As Amended

### Plan of Development Statements

- The area delineated herein as Residential Plarmed Development Number 26, as amended, consists of approximately five hundred seventy-nine thousand eight hundred eighty one (579,881) square feet (thirteen and thirty-one hundredths (13.31) acres) is owned or controlled by the applicant, Mercy Hospital and Medical Center (hereafter, "Applicant").
- 2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys, or easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees and approval by the City Council.
- 3. The requirements, obligations and conditions contained within this plarmed development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and if different than the Applicant, then to the owners of the record title to all of the property and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the property, at the time any applications for amendments, modifications or changes (administrative, legislative or otherwise) to this planned development are made shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this planned development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the property and any ground lessors. An agreement among property owners, the board of directors of any property owners association, or a covenant binding property owners, may designate the authorized party for any further amendment, modification or change.
- 4. This plan of development consists of these fourteen (14) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Subarea Map; a General Plan; and Detail Landscape Plans for Lots A, G and H, dated August 18, 2005; prepared by Solomon Cordwell Buenz and Associates, Inc. Full-size sets of the General Plan and Detail Landscape Plans are on file

APPLICANT:	MERCY HOSPITAL and MEDICAL CENTER
ADDRESS:	2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25 <sup>th</sup> St.;
	44-236 E. 26 <sup>th</sup> St.
DATE:	April 27, 2011
<b>REVISED:</b>	

with the Department of Planning and Development. The planned development is applicable to the area delineated hereto and these and no other zoning controls shall apply.

- 5. The following uses shall be permitted within the area delineated herein as "Residential Plaimed Development Number 26": Subarea A: research, medical service, laboratories, hospital, housing, professional offices, religious assembly, convenience retail and all related uses. Subarea B: parking accessory to the hospital and medical service uses and all uses permitted in the C2-5 Motor Vehicle-Related Commercial District.
- 6. Identification signs shall be permitted within the planned development subject to the review and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs shall be permitted, subject to the review and approval of the Department of Planning and Development.
- 7. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standard for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation.
- 8. In addition to the maximum height of the building and any appurtenance thereto prescribed in this planned development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
- 9. For purposes of floor area ratio ("F.A.R.") calculations, the definitions in the Chicago Zoning Ordinance shall apply.
- 10. The improvements on the property shall be designed, installed and maintained in substantial conformance with the Site Plan and Landscape Plan and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. No Part II approval shall be granted for an individual building or buildings within Subarea B until the Commissioner of the Department of Planning and Development shall issue written approval of a Site Plan for Subarea B. Site Plan approval is intended to assure that specific development proposals conform with this plaimed development and to assist the City in monitoring on-going development.

A Site Plan shall, at a minimum, provide the following information:

APPLICANT: MERCY HOSPITAL and MEDICAL CENTER
ADDRESS: 2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25<sup>th</sup> St.; 44-236 E. 26<sup>th</sup> St.
DATE: April 27, 2011
REVISED:

- -- boundaries of development parcel or parcels;
- -- building footprint or footprints;
- -- building façade elevations and heights;
- -- dimensions of all setbacks;
- -- location and depiction of all parking spaces (including relevant dimensions);
- -- location and depiction of all loading berths (including relevant dimensions);
- -- all drives, roadways and vehicular routes;
- -- all landscaping (including species and size);
- -- all pedestrian circulation routes and points of ingress/egress (including sidewalks); and
- -- all site statistics applicable to the development parcel or parcels including:
  - -- floor area and floor area ratio as represented on submitted drawings;
  - -- lot coverage as represented on submitted drawings;
  - -- number of parking spaces provided;
  - -- number of loading berths provided; and
  - -- uses of development parcel.

Changes or modifications to approved Site Plans may be made after approval of the Commissioner, so long as the Site Plan, as so changed or modified, substantially conforms with this planned development.

11. The terms, conditions and exhibits of this planned development ordinance may be modified administratively by the Commission of the Department of Planning and Development upon the application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the

<b>APPLICANT:</b>	MERCY HOSPITAL and MEDICAL CENTER
ADDRESS:	2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25 <sup>th</sup> St.;
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DATE:	April 27, 2011
<b>REVISED</b> :	•

improvements contemplated in this planned development and the purposes underlying the provisions hereof Any such modification of the requirements of this planned development by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.

- 12. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a mamer which promotes and maximizes the conservation of energy resources. The Applicant shall use best and reasonable efforts to design, construct and maintain all buildings located within this planned development in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System. The Applicant shall provide a vegetated ("green") roof system in accordance with Department of Planning and Development policy as identified in the Green Roof Matrix at the time application is made for approval pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance (Part II).
- 13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the property. Plans for all buildings and improvements on the property shall be reviewed and approved by the Mayor's Office for People with Disabilities (M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.
- 14. Unless substantial construction of the landscaping improvements in Subarea A has commenced within six (6) years following adoption of this planned development, and unless completion is thereafter diligently pursued, then this planned development shall expire and the zoning of Subarea A shall automatically revert to the pre-existing Residential Planned Development Number 26 classification and the zoning of Subarea B shall automatically revert to the pre-existing C2-5 Motor Vehicle-Related Commercial District classification.

APPLICANT: MERCY HOSPITAL and MEDICAL CENTER
ADDRESS: 2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25<sup>th</sup> St.; 44-236 E. 26<sup>th</sup> St.
DATE: April 27, 2011
REVISED:

# Residential Planned Development Number 26, As Amended

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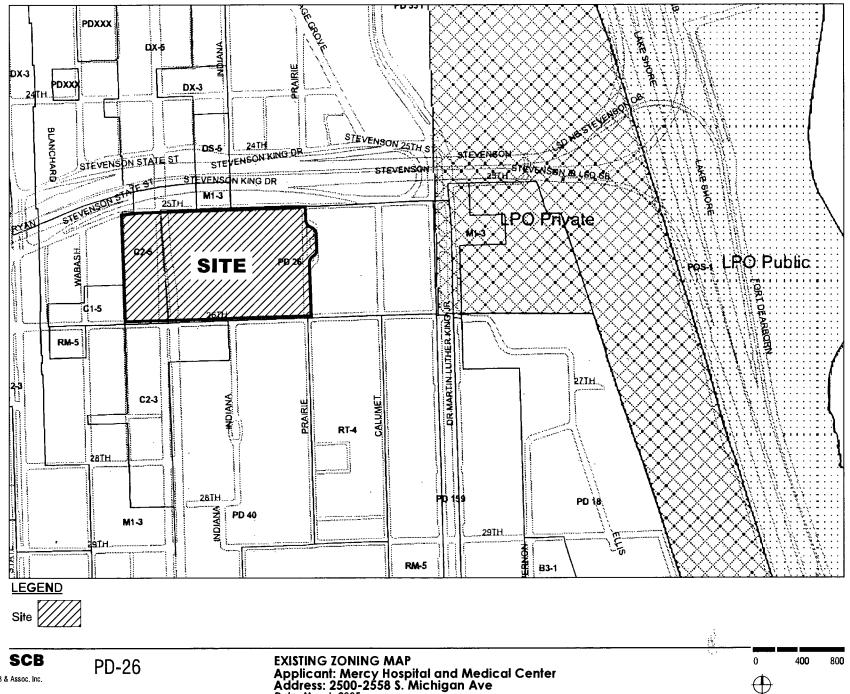
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# Bulk Regulations and Data Table

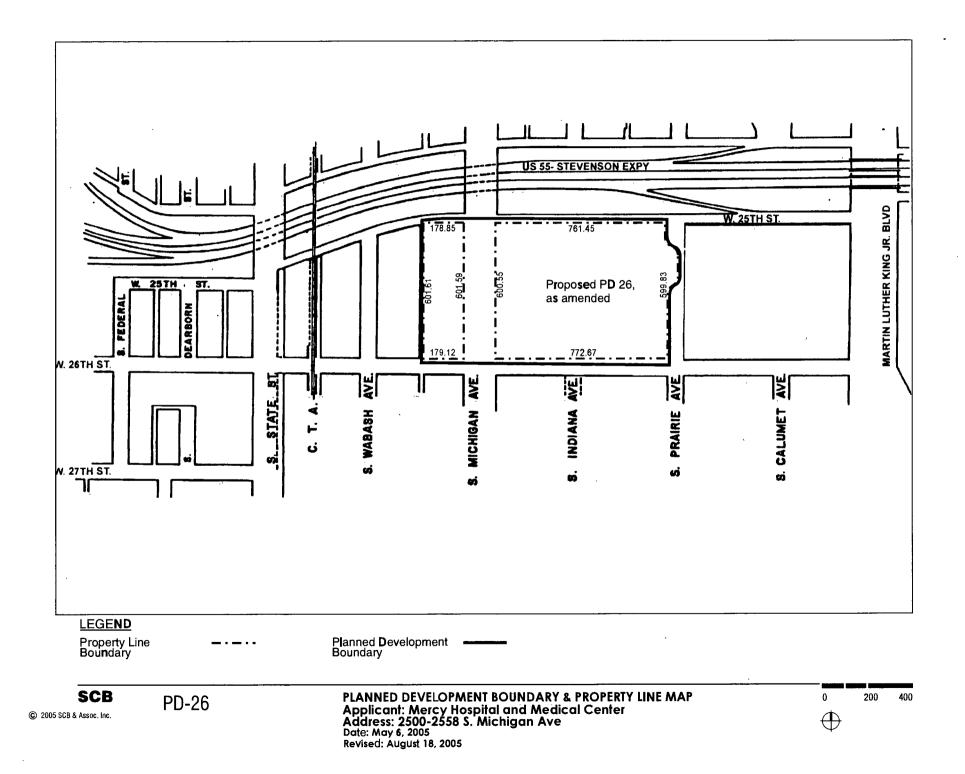
Net Site Area	Square Feet	Acres
Subarea A	472,204	10.84
Subarea B	<u>107,677</u>	2.47
Total:	579,881	13.31
Maximum Floor Area Ratio:		
Subarea A:	2.00 F.A.R.	
Subarea B:	5.00 F.A.R.	
Maximum Site coverage:	Per approved Site Plan	
Minimum Number of Off-Street Parking Spaces:	798	
Minimum Number of Loading Spaces:	5	
Maximum Building Height:	200 feet	

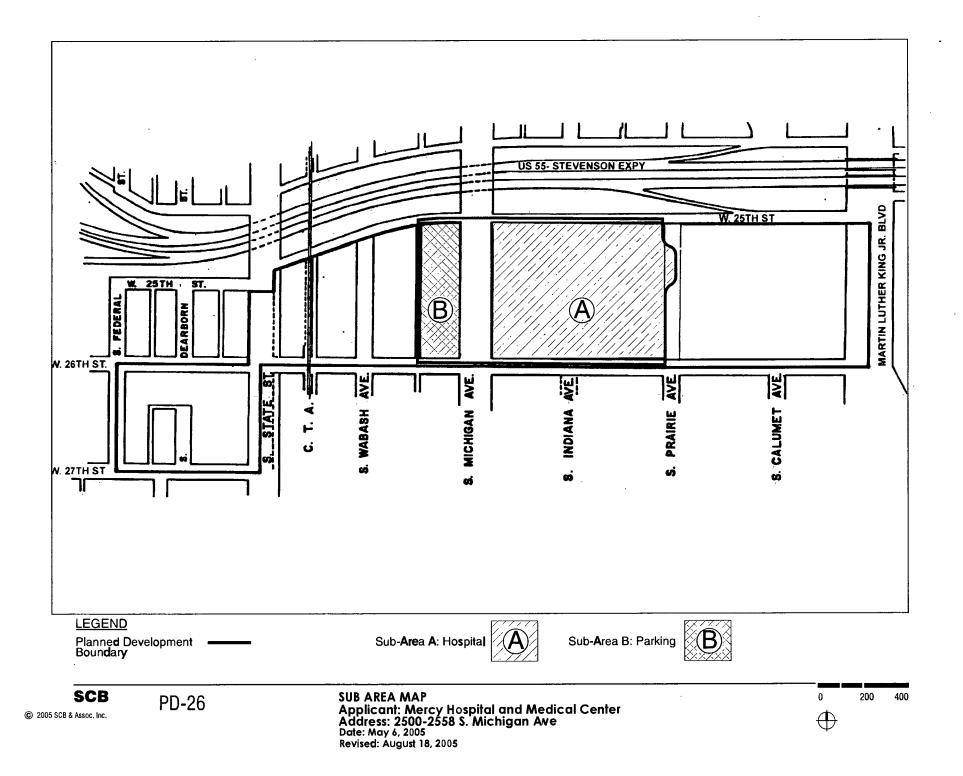
APPLICANT: MERCY HOSPITAL and MEDICAL CENTER
 ADDRESS: 2500-58 and 2501-59 S. Michigan Ave.; 43-237 E. 25<sup>th</sup> St.; 44-236 E. 26<sup>th</sup> St.
 DATE: April 27, 2011
 REVISED:

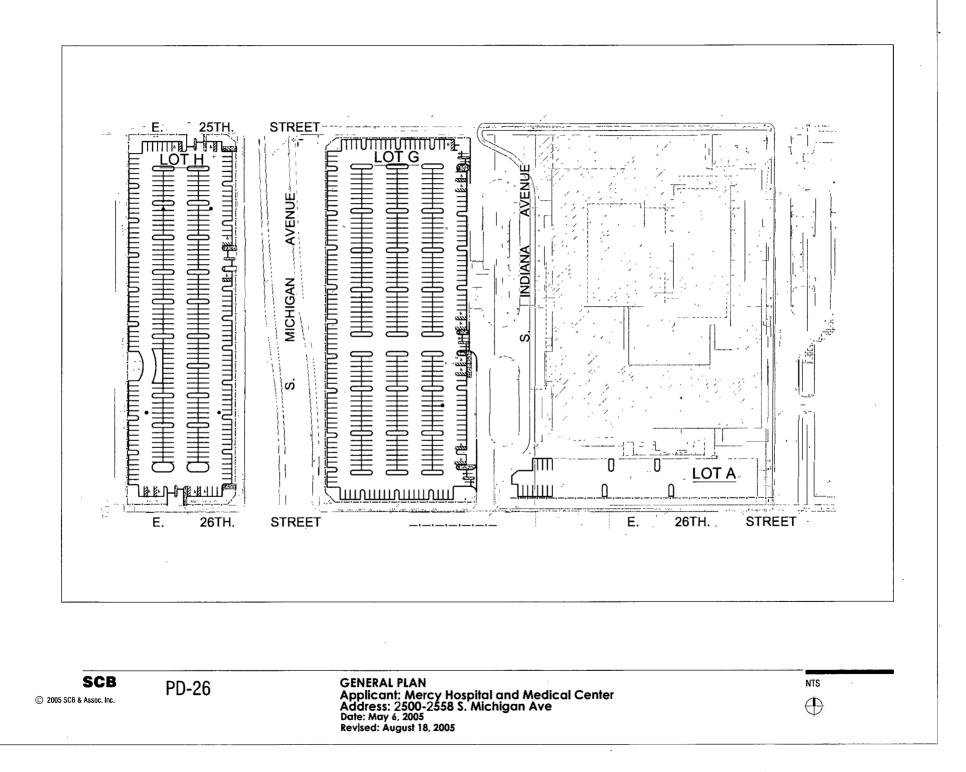


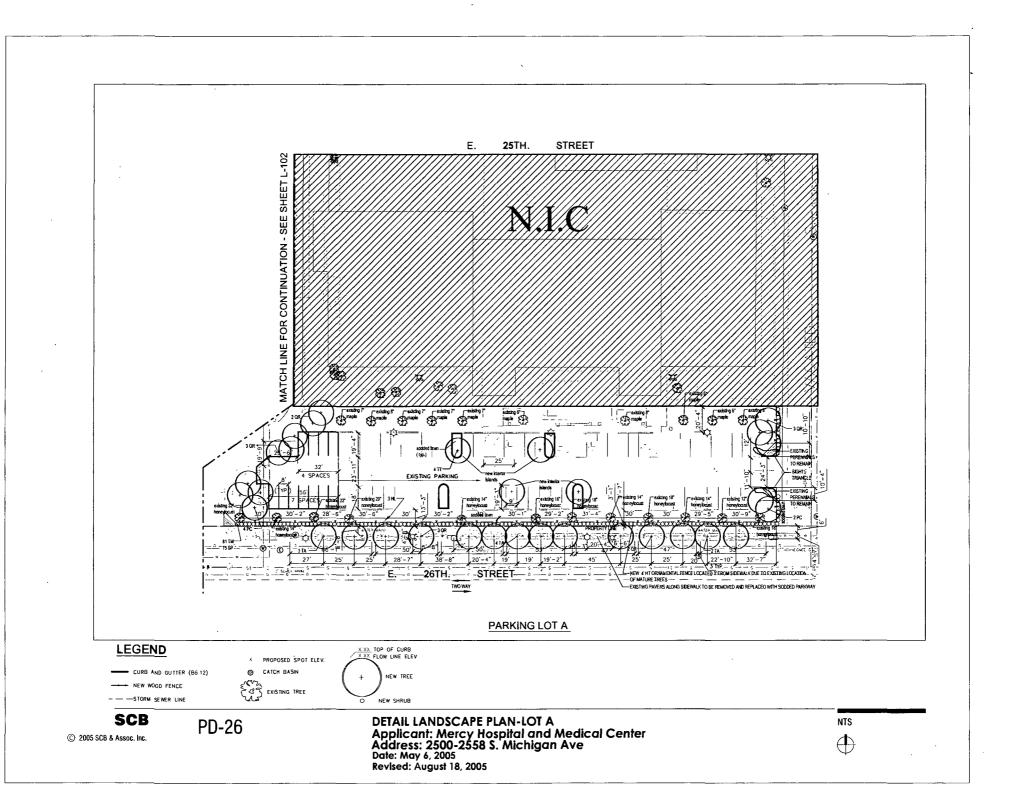
© 2005 SCB & Assoc, Inc.

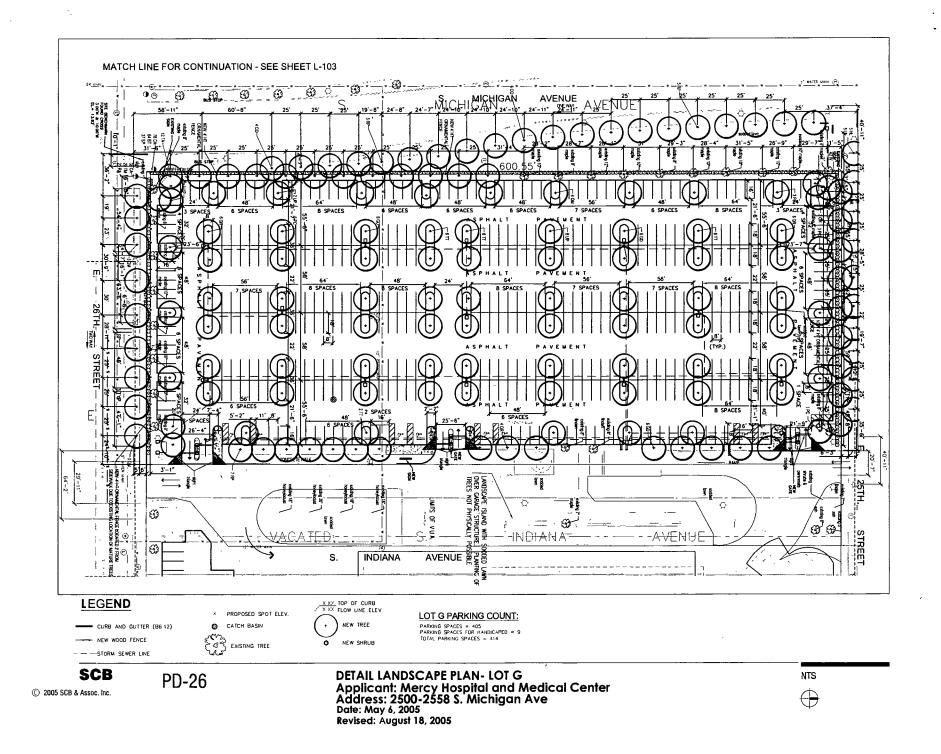
Applicant: Mercy Hospital and Medical Center Address: 2500-2558 S. Michigan Ave Date: May 6, 2005 Revised: August 18, 2005

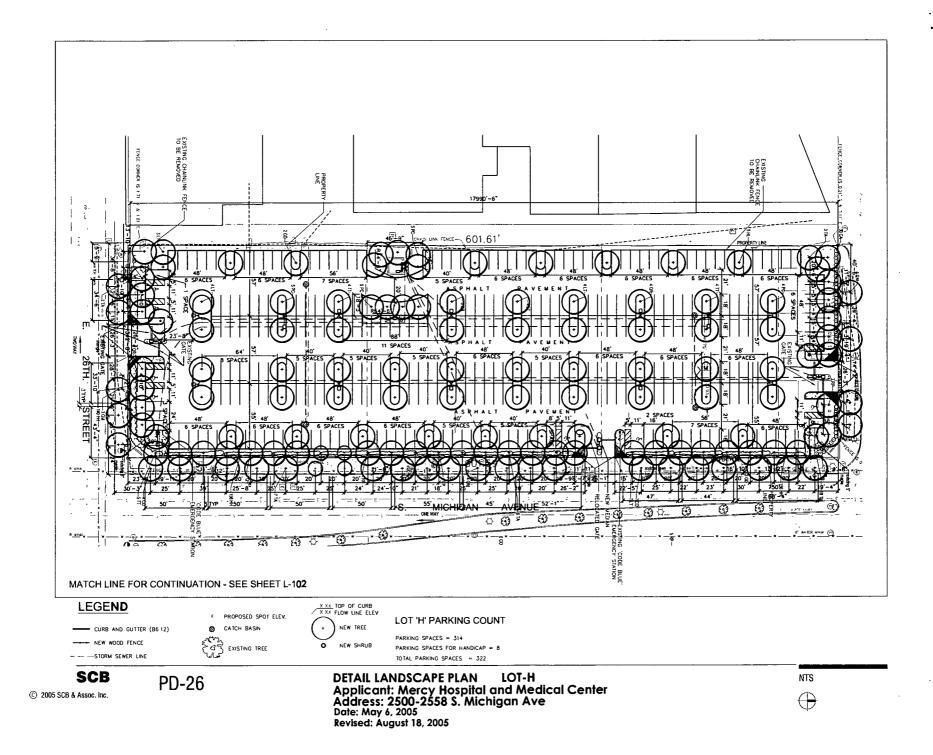














# GREMLEY & BIEDERMANN PLCS Corporation

LICENSE No. 184-005522

PROFESSIONAL L'AND SURVEYORS

4505 North Elston Avenue, Chicago, IL 60630 Telephone: (773) 685-5102 FAX: (773) 286-4184 Email: INFO@PLCS-Survey.com

# ALTA / ACSM Land Title Survey

#### PARCEL 1:

Lots A, B and C in Mercy Hospital and Medical Center Redevelopment being a consolidation of Blocks 62, 63, 64, 68, 69, 76 and 77 and parts of Blocks 61, 65, 66, 67, 70, 75 and 78 and vacated streets and alleys, all in Canal Trustee's Subdivision of the West Half of Section 27, Township 39 North, Range 14, East of the Third Principal Meridian, Except that part of Lot C lying East of a line, being the West line of Antonio's Subdivision according to the plat thereof recorded April 9, 2007 as document 0709906052, described as follows: Commencing at a point on the South line of Lot C that is 701.50 feet West of the Southeast comer of Lot D in said subdivision, as measured along the South line of said Lots C and D; thence North 00 degrees 24 minutes 27 seconds East 150.00 feet; thence North 00 degrees 03 minutes 07 seconds East, 114.37 feet; thence Northeasterly 59.31 feet along the arc of a circle, having a radius of 60.33 feet, concave Southeasterly, and whose chord bears North 28 degrees 12 minutes 69 seconds East a distance of 56.95 feet; thence Northeasterly 59,26 feet along the arc of a circle, having a radius of 60.00 feet, concave Northwesterly, and whose chord bears North 28 degrees 05 minutes 07 seconds East a distance of 56.88 feet; thence North 00 degrees 12 minutes 36 seconds West, 84.94 feet; thence Northerly 18.02 feet along the arc of a circle, having a radius of 30.96 feet, concave Westerly, and whose chord hears North 16 degrees 53 minutes 19 seconds West a distance of 17.77 feet; thence Northwesterly 47.16 feet along the arc of a circle, having a radius of 74.72 feet, concave Southwesterly, and whose chord bears North 51 degrees, 38 minutes 52 seconds West a distance of 46.38 feel; thence Northwesterly 43.55 feet along the arc of a circle, having a radius of 35.84 feet, concave Northeasterly, and whose chord bears North 34 degrees 55 minutes 06 seconds West a distance of 40.92 feet; thence North 00 degrees 06 minutes 30 seconds West, 70.73 feet to the North line of said Lot C, All in Cook County, illinois.

CONTAINING 472,204 SQUARE FEET OR 10.8403 ACRES, MORE OR LESS.

#### PARCEL 2:

The East Half of Block 60 (except the North Half of the Northeast Quarter of Block 60 and except that part taken for streets and alleys) and the East Half of Block 71 (except that part taken for streets and alleys) in Canal Trustees Subdivision of the West Half of Section 27, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois. Also

Lots 1, 2 and 3 in Assessor's Division of Block 74 in Canal Trustees Subdivision of the West Half of Section 27, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois. Also

Lots 1 to 9, inclusive, in O. P. Briggs Subdivision of the North Half of the Northeast Quarter of Block 60 in Canal Trustees Subdivision of the West Half of Section 27, Township 39 North, Range 14, East of the Third Principal Meridian, I Cook County, Illinois,

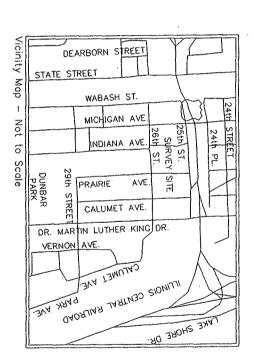
CONTAINING 107,677 SQUARE FEET OR 2.4719 ACRES, MORE OR LESS.

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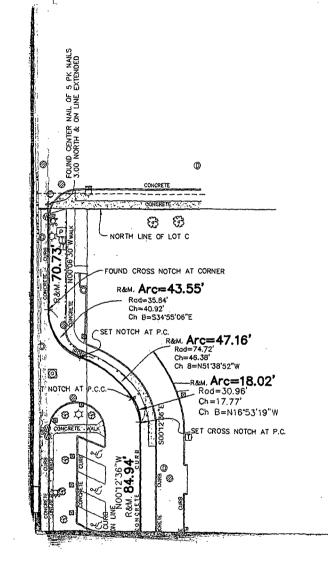
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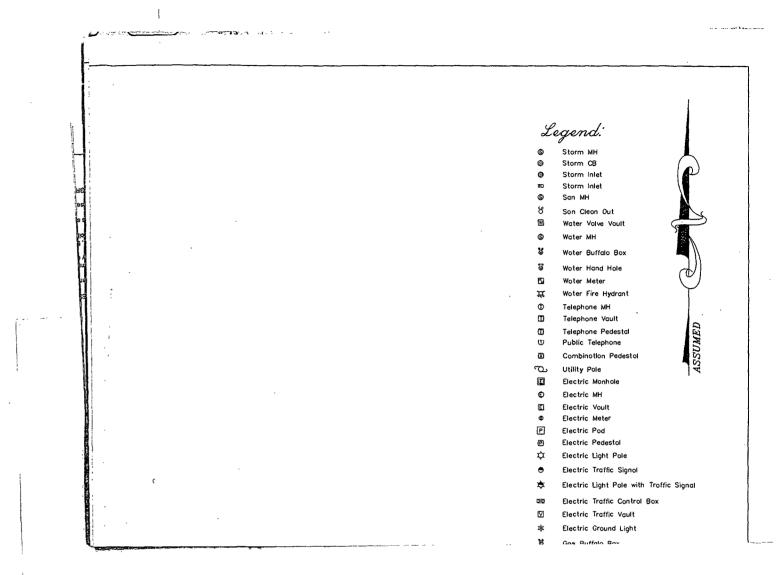
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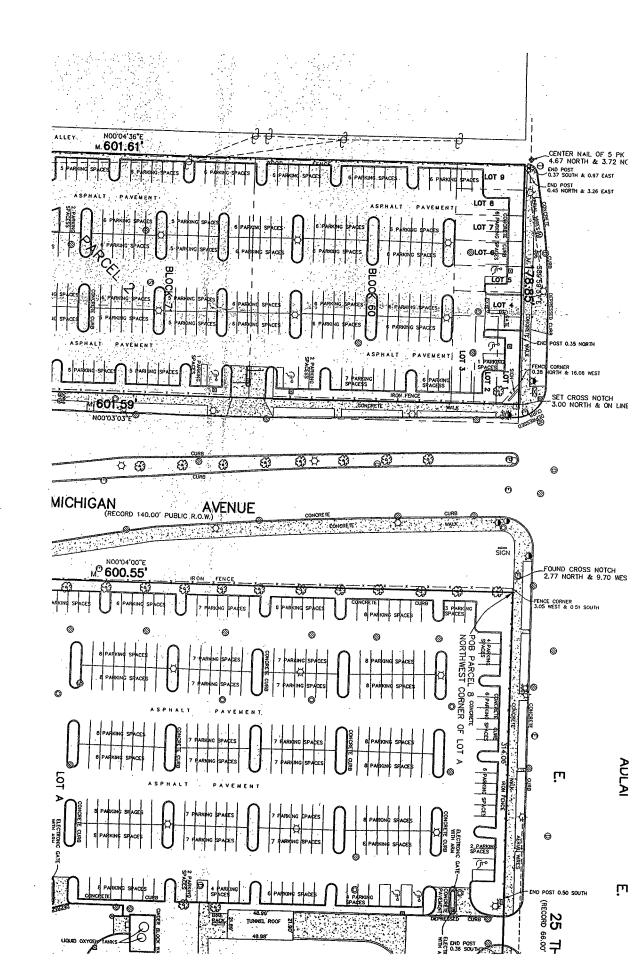
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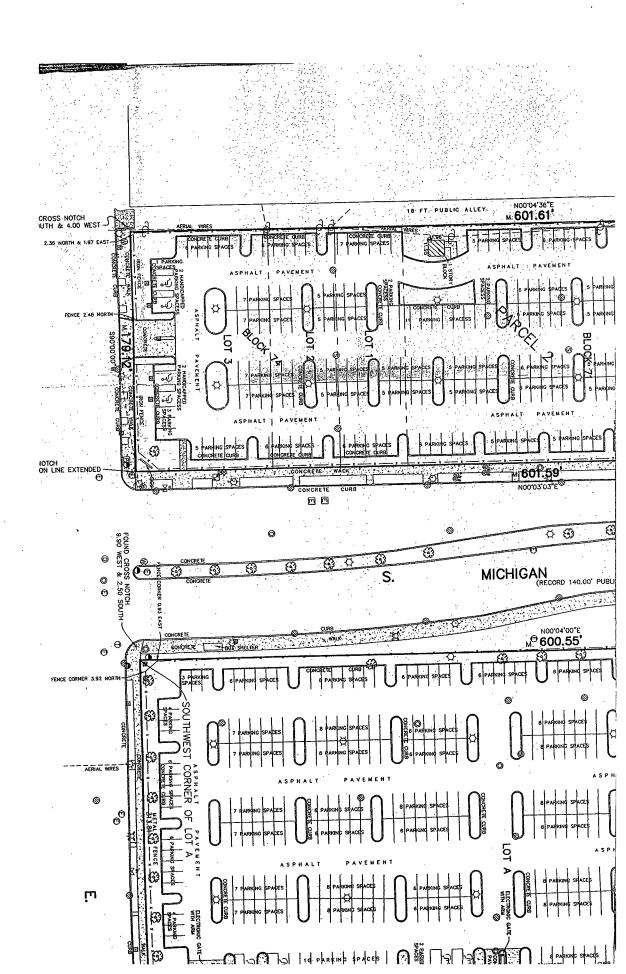


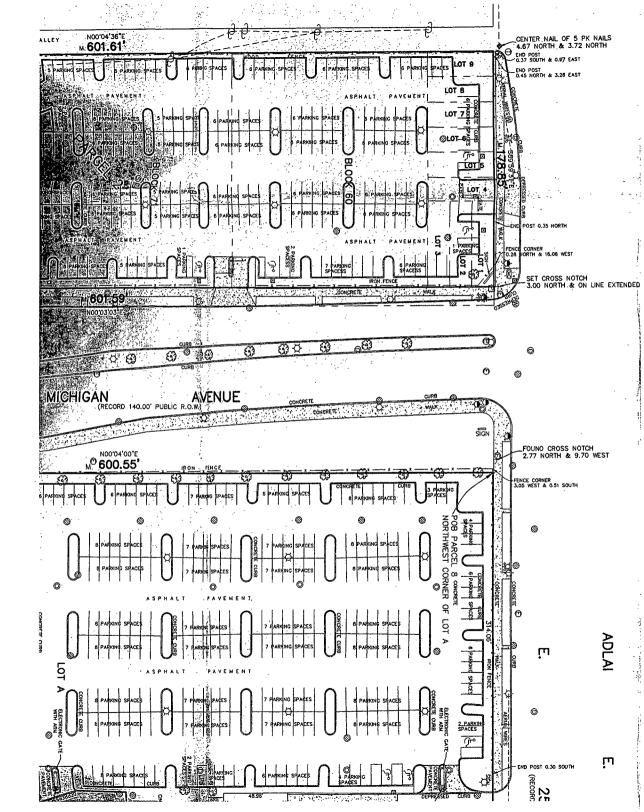
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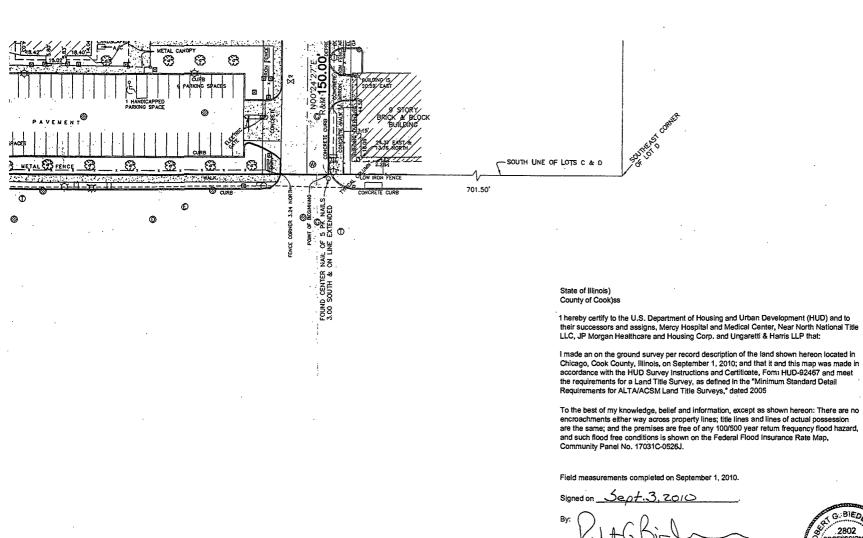




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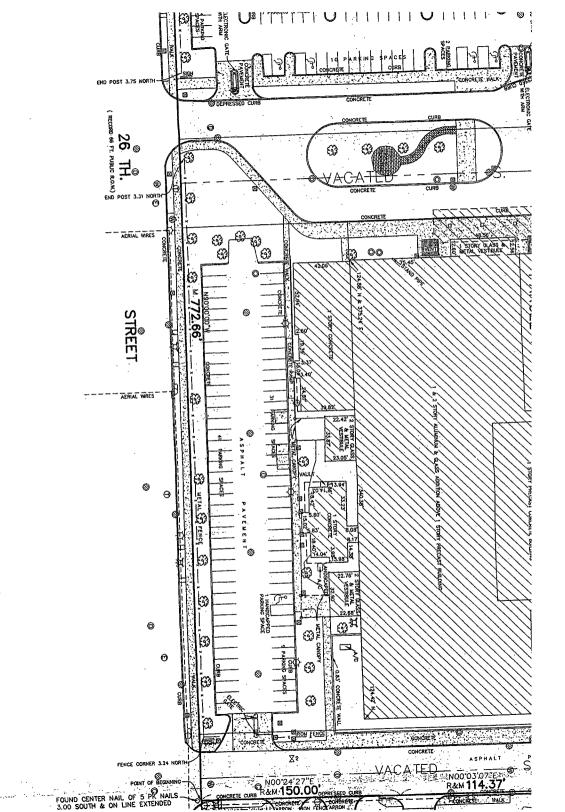


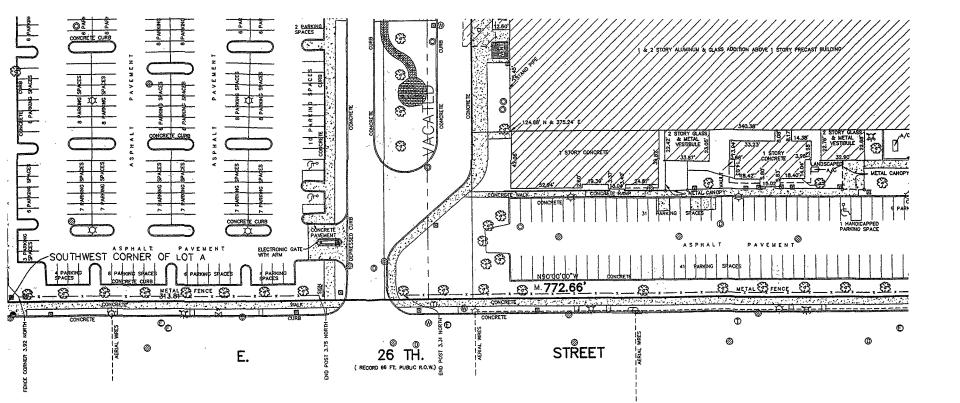




## Professional Illinois Land Surveyor # 2802 My license expires November 30, 2010.







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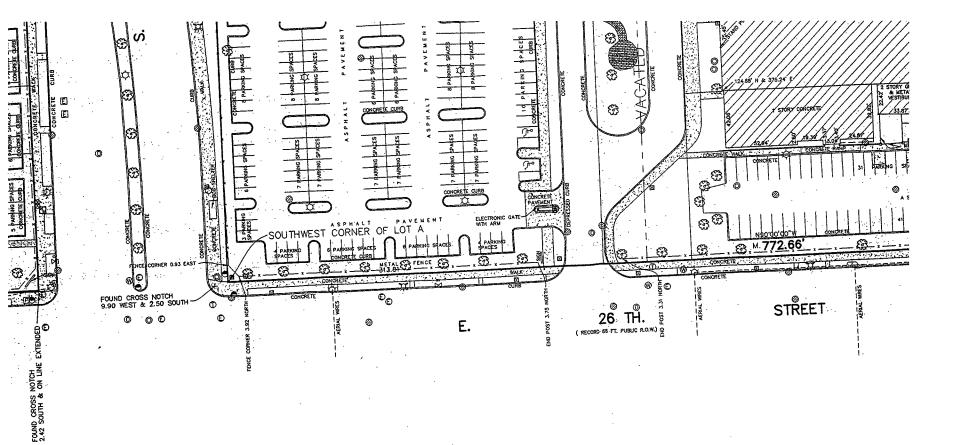
SURVEY NOTES CONTINUED:

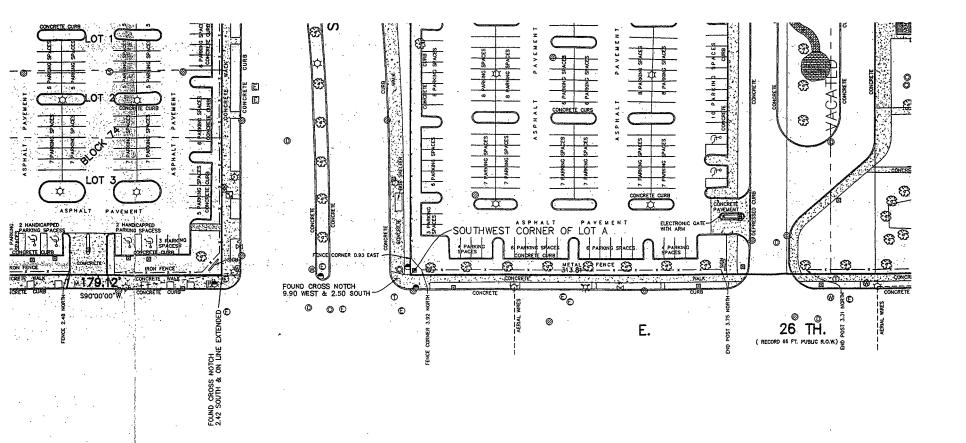
PROPERTY APPEARS IN "OTHER AREAS" ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP COOK COUNTY. ILLINOIS, MAP NO. 17031C-0526J,

PARKING SPACE SUMMARY:

PROPERTY APPEARS IN "OTHER AREAS" ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP COOK COUNTY, ILLINOIS, MAP NO. 17031C-0526J, EFFECTIVE DATE AUGUST 19, 2008.

SURVEY NOTES CONTINUED:





### SURVEY NOTES CONTINUED:

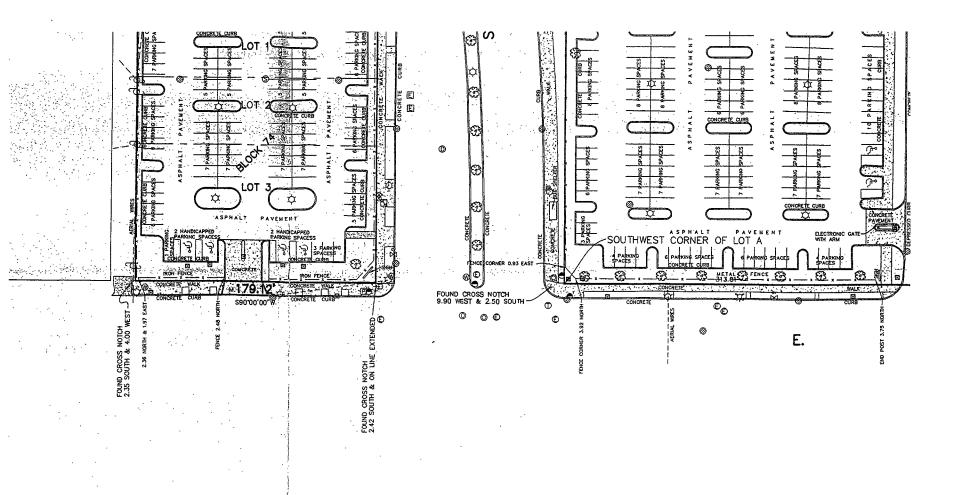
PROPERTY APPEARS IN "OTHER AREAS" ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP COOK COUNTY, ILLINOIS, MAP NO. 17081C-0526J, EFFECTIVE DATE AUGUST 19, 2008.

#### SURVEY NOTES:

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Note R. & M. denotes Record and Measured distances respectively.

## PARKING SPACE SUMMARY:



#### SURVEY NOTES CONTINUED:

PROPERTY APPEARS IN "OTHER AREAS" ZONE X, AREAS DETERMINED TO BI OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP COOK COUNTY, ILLINOIS, MAP NO. 17031C-0526J, EFFECTIVE DATE AUGUST 19, 2008.

### PARKING SPACE SUMMARY:

### SURVEY NOTES:

Note R. &M. denotas Record and Measured distances respectively.