

City of Chicago



O2018-6988

Office of the City Clerk Document Tracking Sheet

Meeting Date:

9/20/2018

Sponsor(s):

Misc. Transmittal

Type:

Ordinance

Title:

Zoning Reclassification Map No. 9-G at 3264-3270 N Clark

St/901-915 W School St - App No. 19811T1

Committee(s) Assignment:

Committee on Zoning, Landmarks and Building Standards

19811-T1 INTRO DATE SEPT 20, 2018

<u>ORDINANCE</u>

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

SECTION 1. Title 17, of the Municipal Code of Chicago, the Chicago Zoning Ordinance be amended by changing all the B3-3 Community Shopping District symbols and indications as shown on Map No. 9-G in the area bounded by

West School Street; North Clark Street; a line 75 feet southeast of the intersection of West School Street and North Clark Street as measured at the southwesterly right-of-way line of North Clark street and perpendicular thereto; the alley next southwest of north Clark Street; the alley next south of and parallel to West School Street; and North Wilton Avenue,

to those of a B2-3 Neighborhood Mixed-Use District is hereby established in the area above described.

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

Common Address of Property:

3264-3270 North Clark Street/

901-915 West School Street

17-13-0303-C (1) Narrative Zoning Analysis – 901-915 W. School Street and 3264-3270 N. Clark Street, Chicago, IL

Proposed Zoning: B2-3 Neighborhood Mixed-Use District

Lot Area: 21,477 square feet

Proposed Land Use:

The Applicant is proposing to develop the surface parking lot located at 913 W. School St. with a new five-story residential building containing twenty-two (22) residential units (18 typical dwelling units and 4 efficiency units). The proposed building will measure 57 feet-5 inches in height and be masonry in construction. The proposed building will be supported by twelve (12) onsite parking spaces and sixteen (16) bicycle parking spaces. The Applicant is also proposing to convert one (1) retail unit located below the second floor of the existing mixed-use building at 3264-70 N. Clark St./901 W. School St. to a residential unit (30 residential units being increased to 31 residential units). The existing mixed-use building at 3264-70 N. Clark St./901 W. School St. will otherwise remain without change with respect to total floor area and building height. The subject property is located within 506 feet of the Belmont Ave. CTA Station and is therefore eligible as a Transit Oriented Development.

- (A) The Project's Floor Area Ratio:
 - a. 913 W. School St.: 20,391 sq. ft. (approx. 3.269)
 - b. 3264-70 N. Clark St./901 W. School St.: 39,732 sq. ft. (approx. 2.607) (existing, no change)
- (B) The Project's Density (Lot Area Per Dwelling Unit):
 - a. 913 W. School St.: 18 dwelling units and 4 efficiency units
 - b. 3264-70 N. Clark St./901 W. School St.: 31 dwelling units
- (C) The amount of off-street parking:
 - a. 913 W. School St.: 12 parking spaces (TOD)
 - b. 3264-70 N. Clark St./901 W. School St.: none (TOD)
- (D) Setbacks:
- a. 913 W. School St.
 - i. Front Setback: zero
 - ii. East Side Setback: zero
 - iii. West Side Setback: zero
 - iv. Rear Setback: 2 feet at first floor; 30 feet at floors 2-5
- b. 3264-70 N. Clark St./901 W. School St.
 - i. Front Setback: zero (existing, no change)
 - ii. East Side Setback: zero (existing, no change)
 - iii. West Side Setback: zero (existing, no change)
 - iv. Rear Setback: 19.89 feet (existing, no change)
- (E) Building Height:
 - a. 913 W. School St.: 57 feet-5 inches
 - b. 3264-70 N. Clark St./901 W. School St.: 54 feet-5 inches (existing, no change)

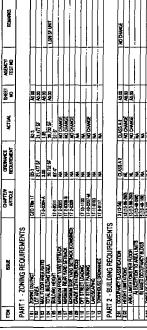
APARTMENT CONVERSION ARCHITECT
Kennedy Mann Architecture, LLC
Screen Ferral
Charge L Carn
First H Carn
F Sekula Holdings LLC 807 W School St. Cheap, L 6667 204 CB 218 Poper Select returbed pathwarm, one OWNER

SCOPE OF WORK

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907 W. SCHOOL ST. CHICAGO, IL 60657 PIN#14-20-426-056-0000

KENNEDY MANN

INDEX TO DRAWINGS PROPOSED ELECTRICAL PLOOR PLAN POPOSED WEGSWANCAL FLOOR PLAN EXISTING A PROPOSED PLOOP PL EXISTING ELEVATION ASTING ELEVATION PLAT OF SURVEY

Apartment Conversion

907 W. School St. Chicago, IL 60657

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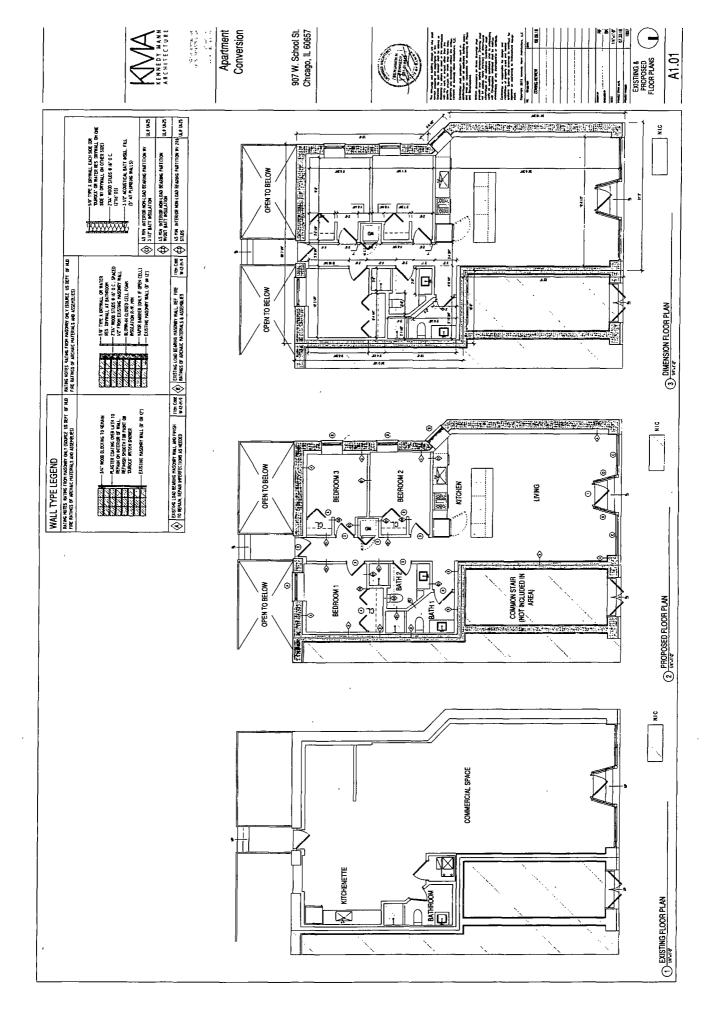
C) SITE PLAN

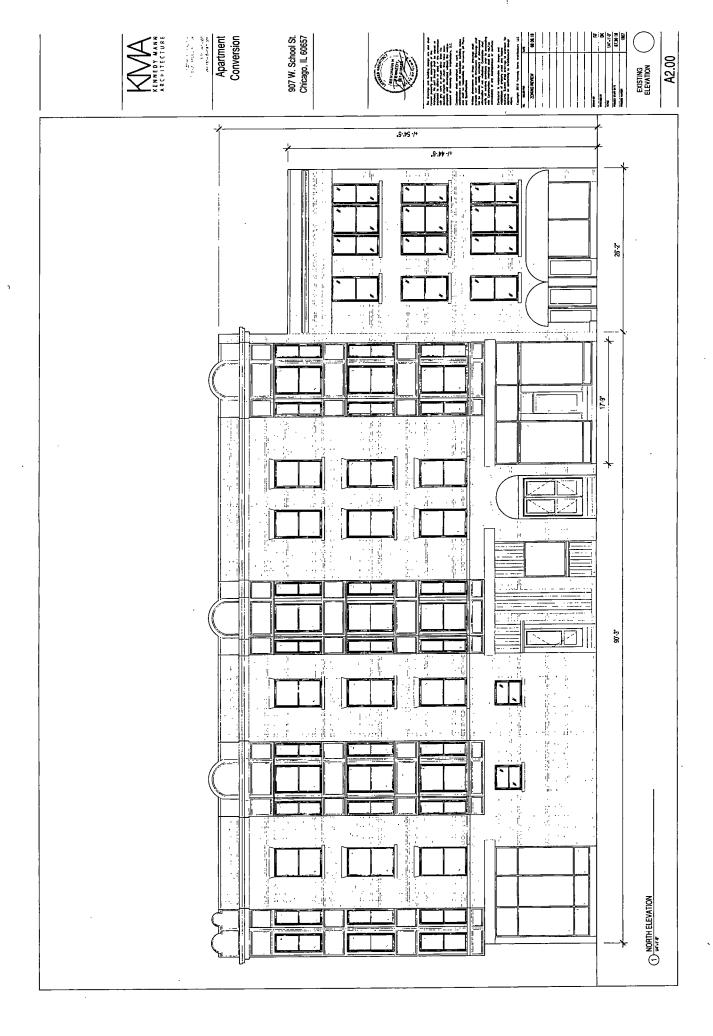


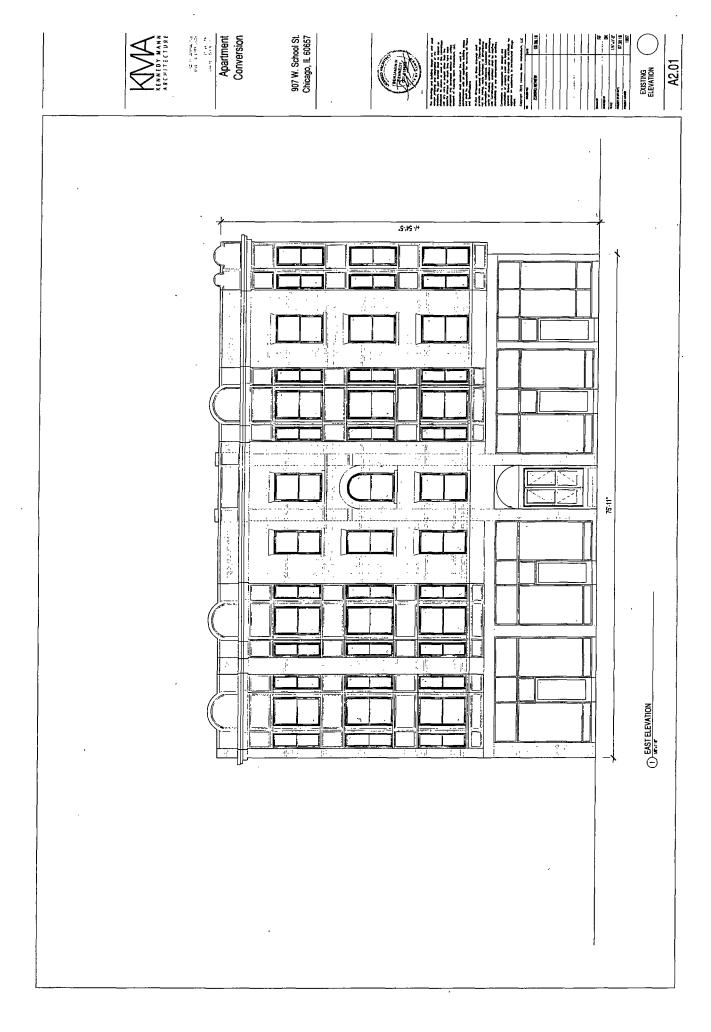


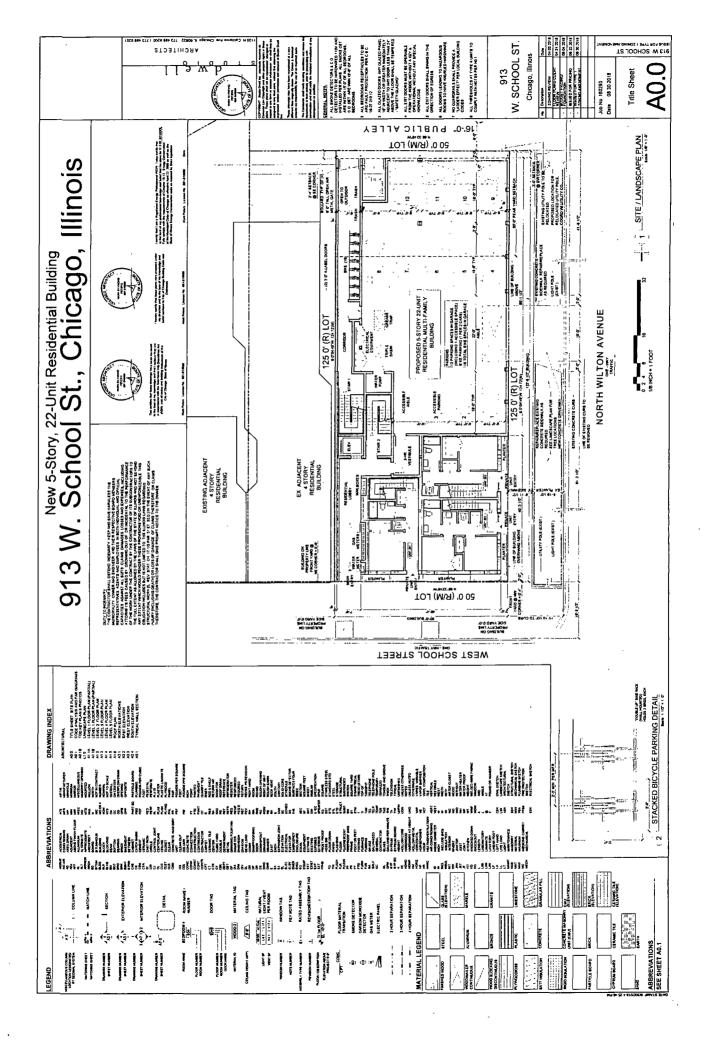
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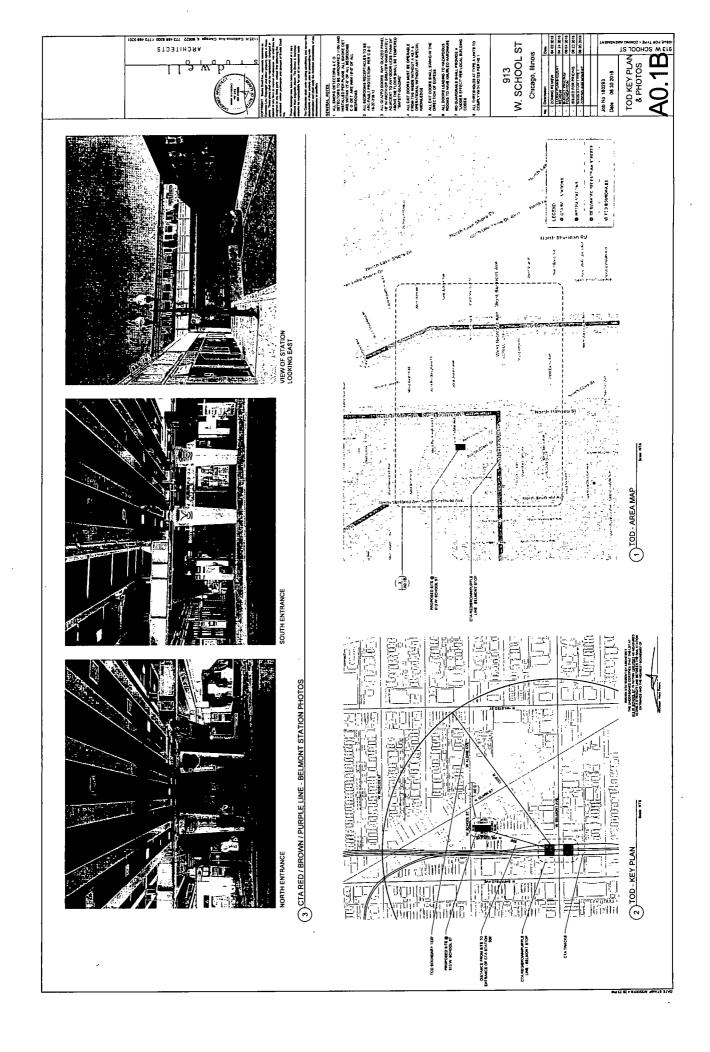
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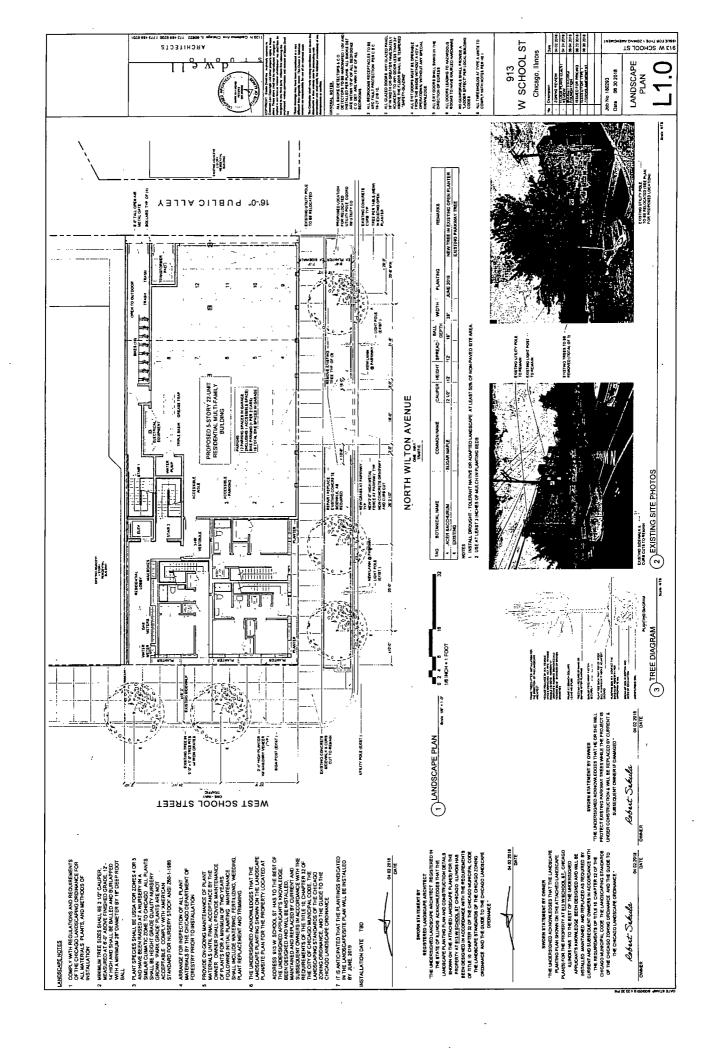


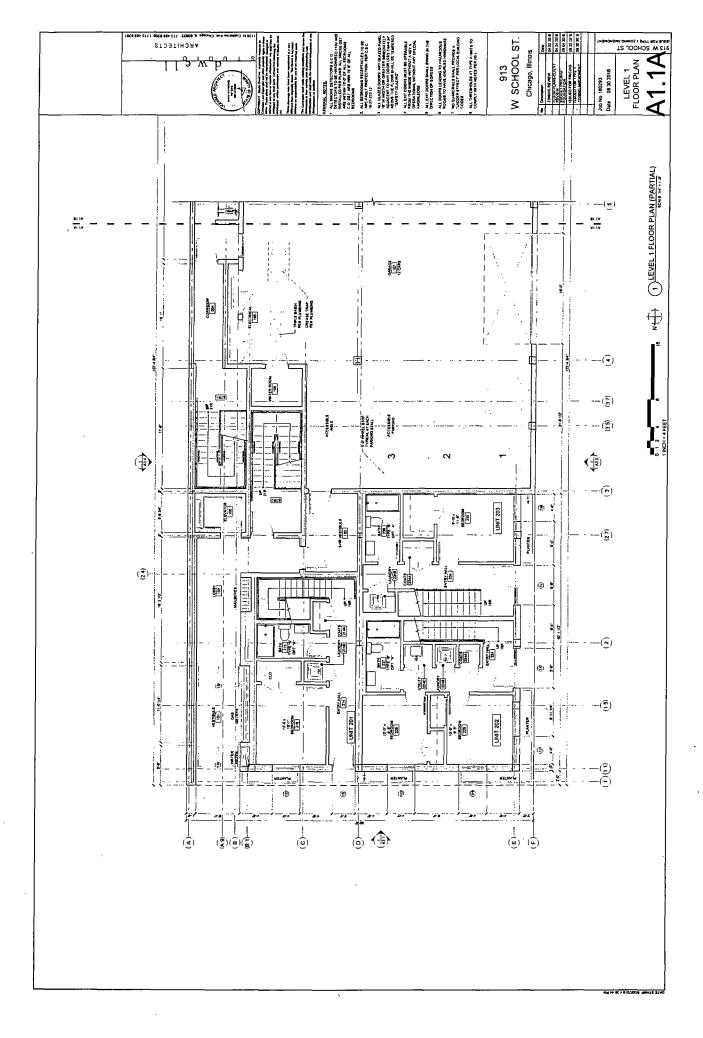


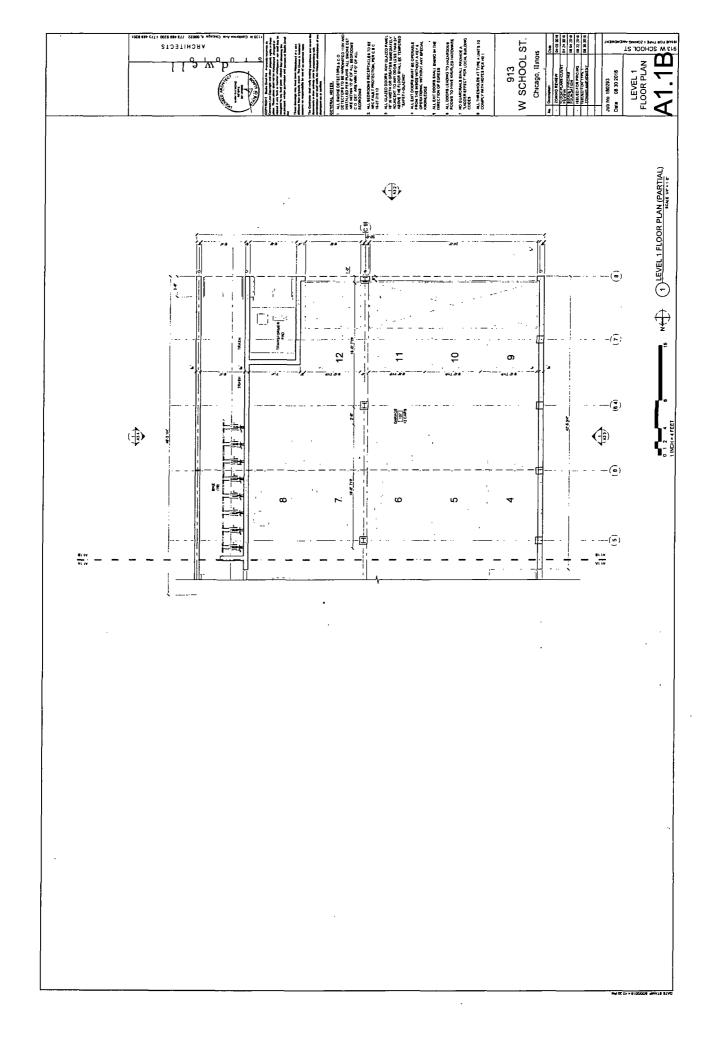


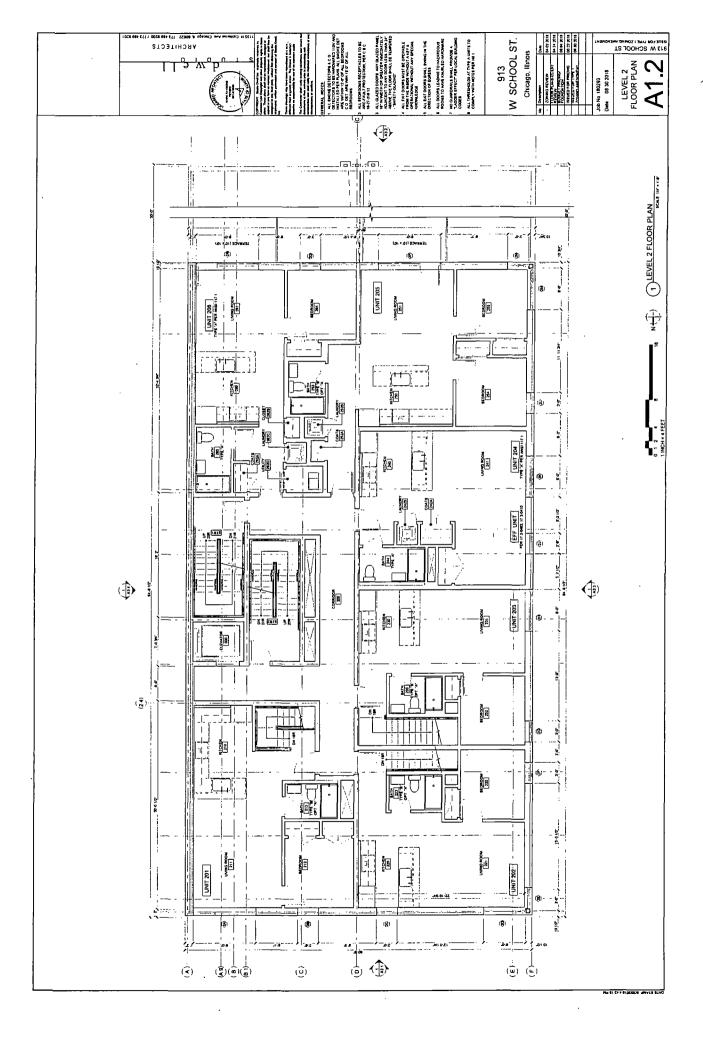


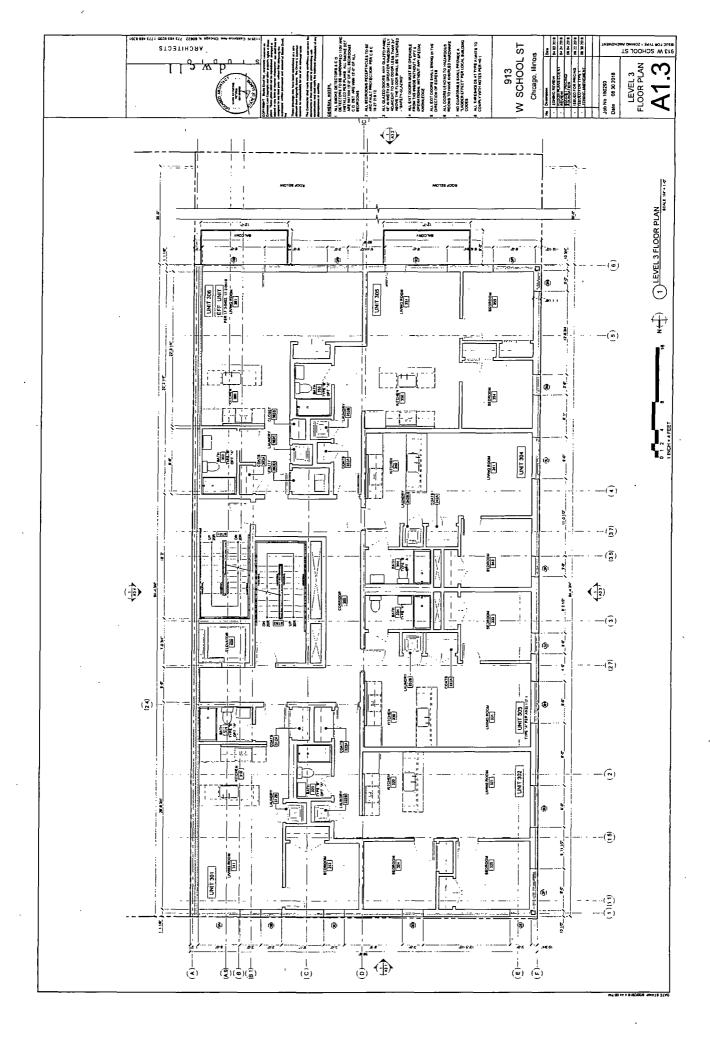


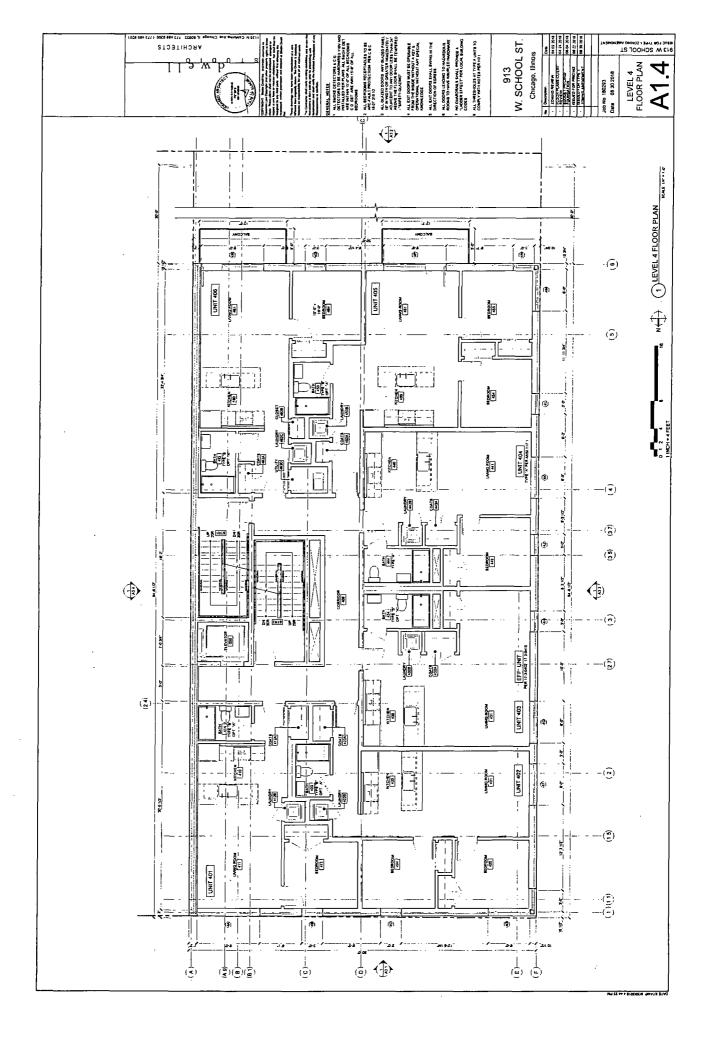


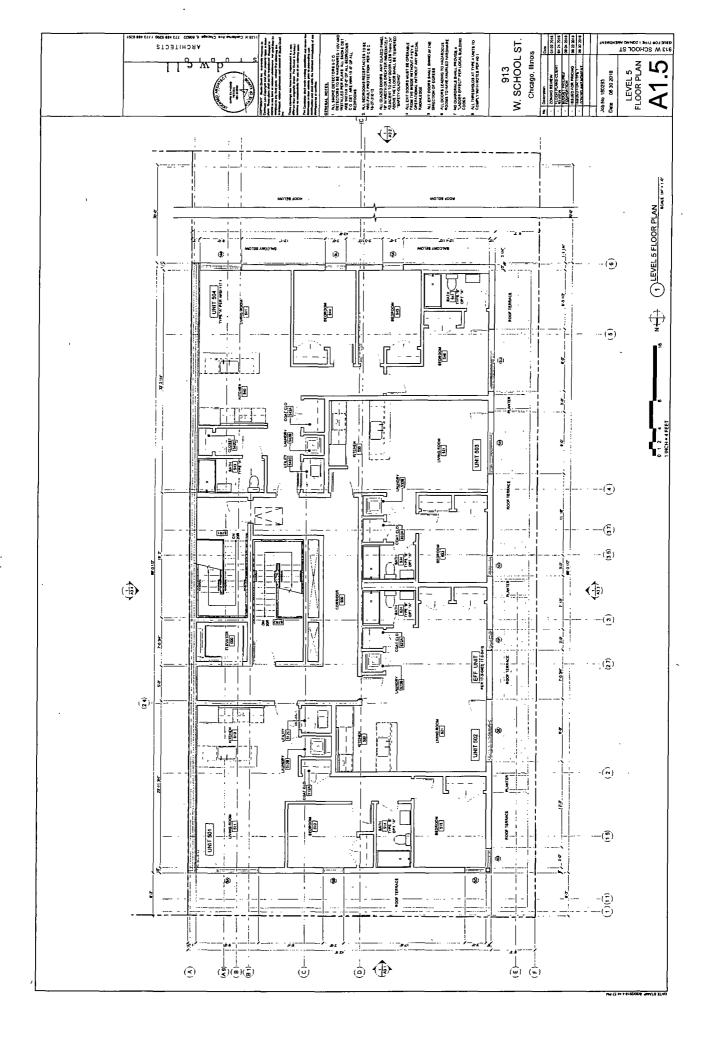


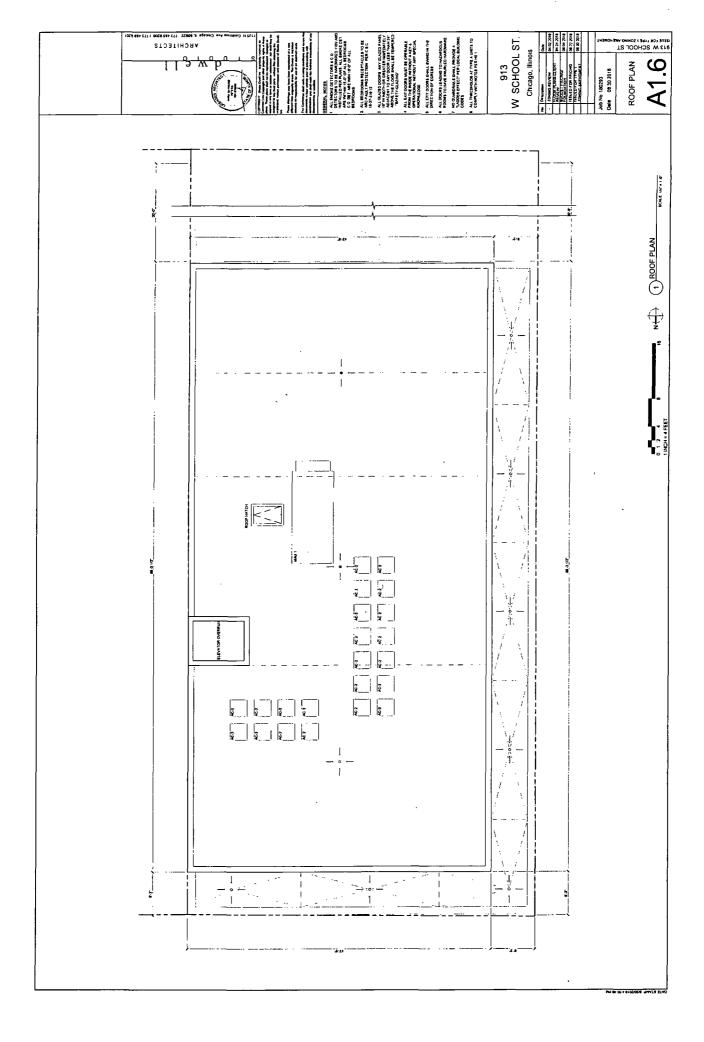


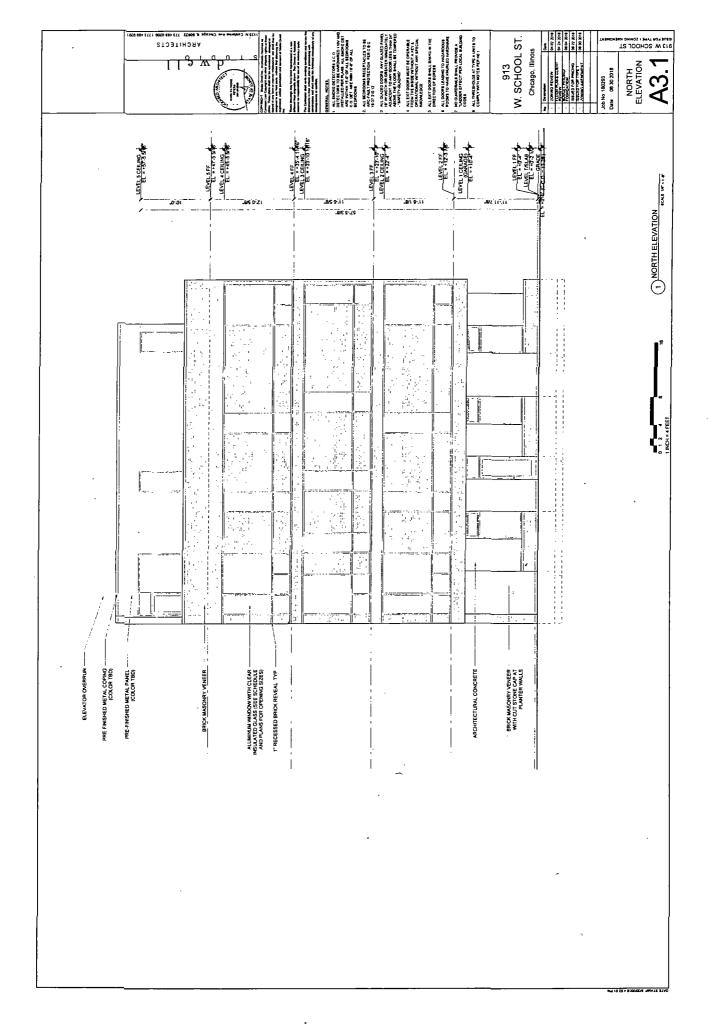


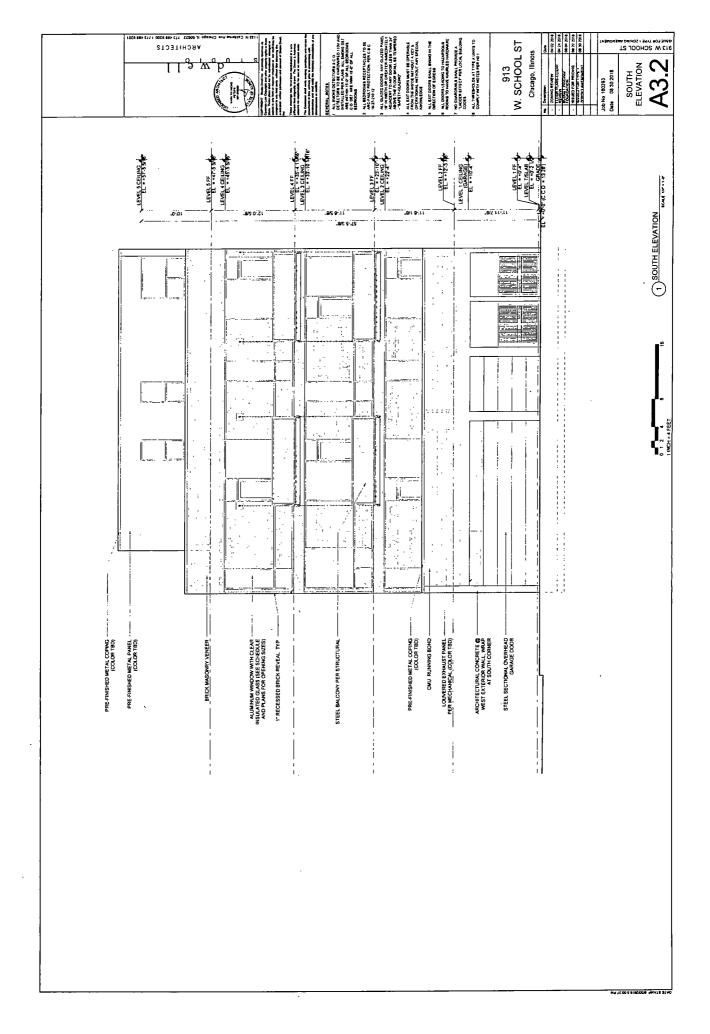


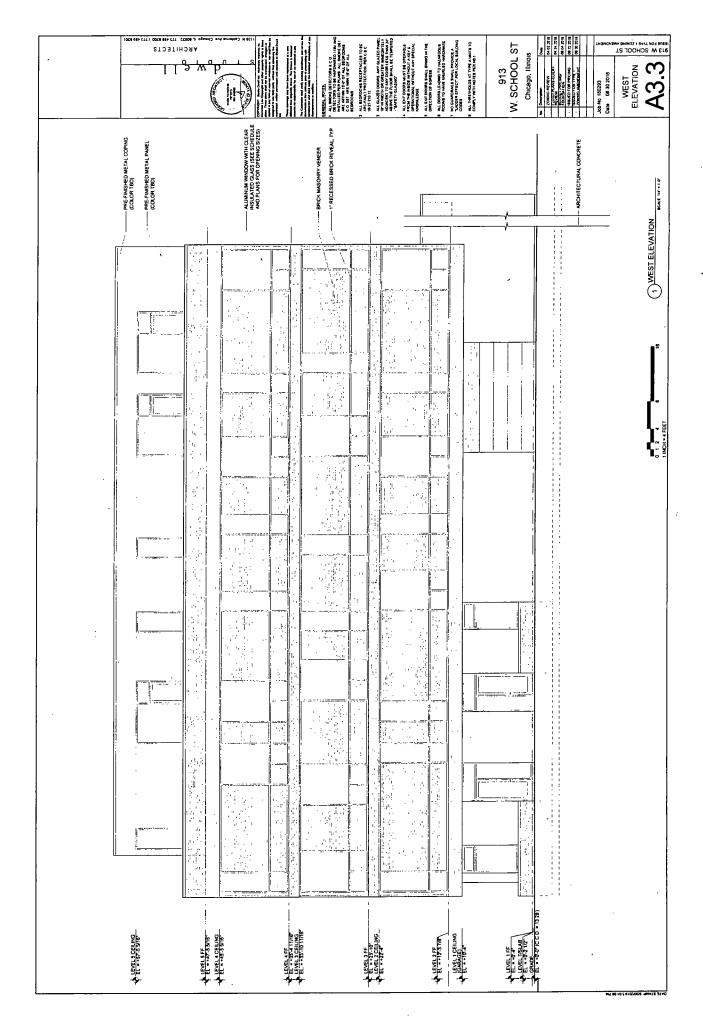


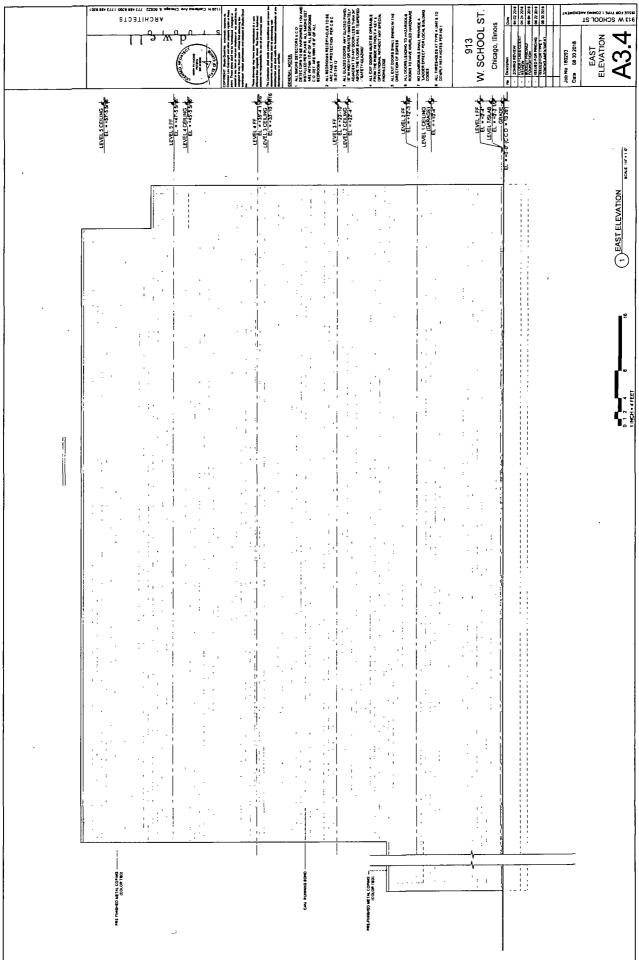


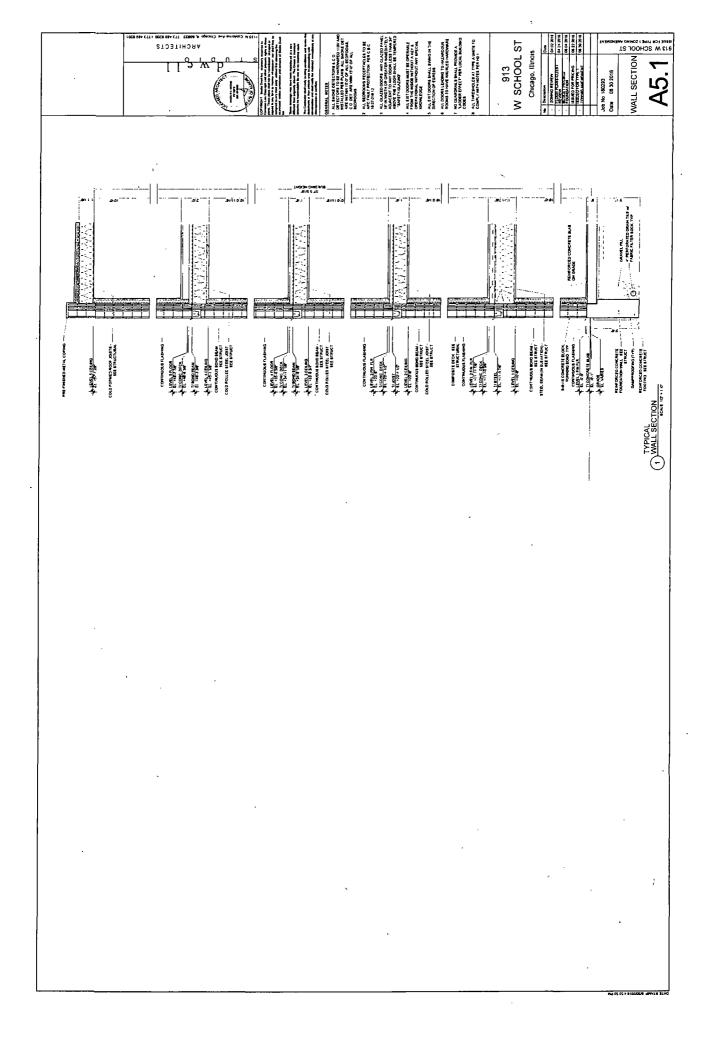


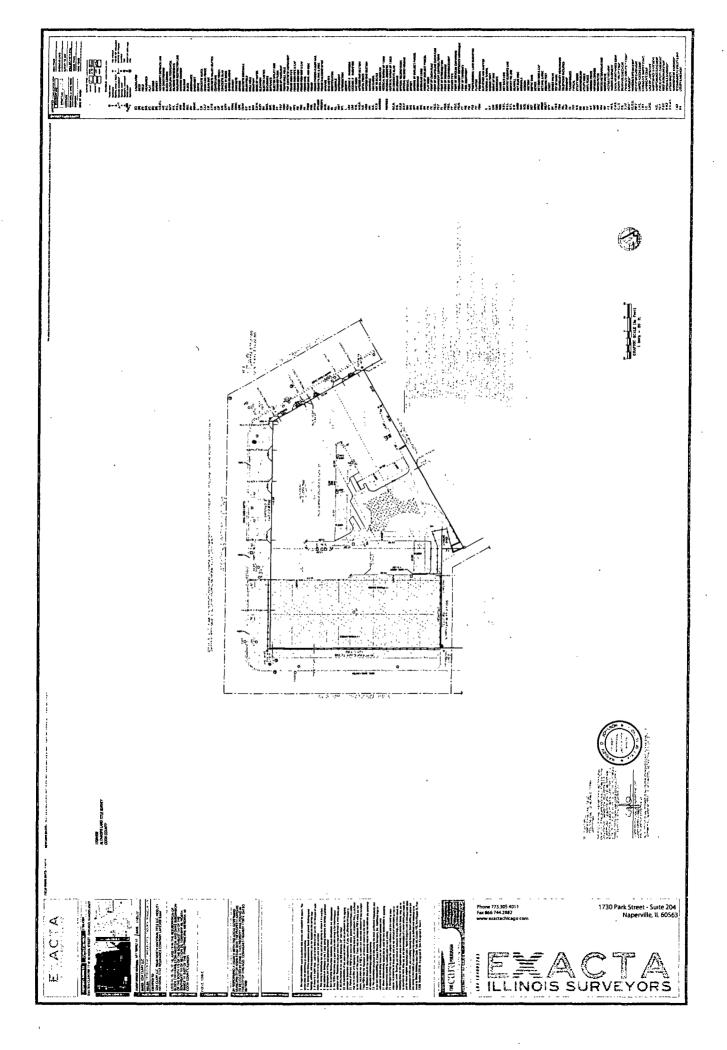












Written Notice, Form of Affidavit: Section 17-13-0107

September 4, 2018

Honorable Daniel Solis Chairman, Committee on Zoning 121 North LaSalle Street Room 304 - City Hall Chicago, Illinois 60602

To Whom It May Concern:

The undersigned, Nicholas Ftikas, being first duly sworn on oath, deposes and says the following:

That the undersigned certifies that he has complied with the requirements of Section 17-13-0107 of the Zoning Code of the City of Chicago, 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 on the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of the public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. That said written notice was sent by USPS First Class Mail no more than 30 days before filing the application.

That the undersigned certifies that the notice contained the address of the property sought to be rezoned as 901-915 W. School Street and 3264-3270 N. Clark Street, Chicago, Illinois; a statement of intended use of said property; the name and address of the Applicant and Owner; and a statement that the Applicant intends to file an application for a change in zoning on approximately September 4, 2018.

That the Applicant has made a bonafide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Zoning Code of the City of Chicago and that the Applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet is a complete list containing the names and last known addresses of the owners of the property required to be served.

Law Offices of Samuel V.P. Banks

Attorney for Applicant

Subscribed and Sworn to before me

nten Nev , 2018.

day of

Notary Public

OFFICIAL SEAL

Danielle Sands NOTARY PUBLIC, STATE OF ILLINOIS

My Commission Expires October 29, 2018

PUBLIC NOTICE

Dear Property Owner:

In accordance with the Amendment to the Chicago Zoning Code enacted by the City Council, Section 17-13-0107-A, please be informed that on or about **September 4, 2018**, I, the undersigned, intend to file an application for a change in zoning from a B3-3 Community Shopping District to a B2-3 Neighborhood Mixed-Use District, on behalf of the Applicant and Property Owner, 3264 Clark, LLC, for the property located at **901-915 W. School Street and 3264-3270 N. Clark Street, Chicago, Illinois**.

The Applicant is proposing to develop the surface parking lot located at 913 W. School St. with a new five-story residential building containing twenty-two (22) residential units (18 typical dwelling units and 4 efficiency units). The proposed building will measure 57 feet-5 inches in height and be masonry in construction. The proposed building will be supported by twelve (12) onsite parking spaces and sixteen (16) bicycle parking spaces. The Applicant is also proposing to convert one (1) retail unit located below the second floor of the existing mixed-use building at 3264-70 N. Clark St./901 W. School St. to a residential unit (30 residential units being increased to 31 residential units). The existing mixed-use building at 3264-70 N. Clark St./901 W. School St. will otherwise remain without change with respect to total floor area and building height. The subject property is located within 506 feet of the Belmont Ave. CTA Station and is therefore eligible as a Transit Oriented Development.

The Applicant and Property Owner, 3264 Clark, LLC, is located at 1517 N. North Park Ave., Unit 2, Chicago, Illinois 60610.

I am the attorney for the Applicant and Property Owner. I will serve as the contact person for this zoning application. My address is 221 North LaSalle Street, 38th Floor, Chicago, Illinois 60601. My telephone number is (312)-782-1983.

Very truly yours,

Law Offices of Samuel V.P. Banks

Nicholas J. Ftikas

Attorney for the Applicant

*The Applicant is required by law to send this notice because you own property located within 250 feet of the property subject to the proposed Zoning Amendment.

^{*}Please note that the Applicant is NOT seeking to purchase or rezone your property.

CITY OF CHICAGO APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

19811-T1 INTRODATE SEPT 20, 2018

| 1. | ADDRESS of the property A 901-915 W. School Street ar | | e: t, Chicago, IL |
|----|--|-------------------------|--|
| 2. | Ward Number that property is located in: 44 | | |
| 3. | APPLICANT: 3264 Clark, I | LC | |
| | ADDRESS: 1517 N. North I | Park Ave., Unit 2 | CITY: Chicago |
| | STATE: IL | ZIP CODE: 60610 | PHONE: <u>312-782-1983</u> |
| | EMAIL: nick@sambankslay | v.com CONTACT PERSON | N: Nicholas J. Ftikas |
| 4. | Is the Applicant the owner o | f the property? YES X | NO |
| | | | provide the following information in the owner allowing the application to |
| | OWNER: Same as Ab | oove | |
| | ADDRESS: | | CITY: |
| | STATE: | _ ZIP CODE: | PHONE: |
| | EMAIL: | _ CONTACT PERSON: | |
| 5. | If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information: | | wyer as their representative for the |
| | ATTORNEY: Law Offices | of Samuel V.P. Banks | |
| | ADDRESS: 221 North LaSa | alle Street, 38th Floor | |
| | CITY: Chicago | STATE: <u>Illinois</u> | ZIP CODE: <u>60601</u> |
| | PHONE: (312) 782-1983 | FAX: 312-782-2433 | EMAIL: nick@sambankslaw.com |

| 5. | If the Applicant is a legal entity (Corporation, LLC, Partnership, etc.), please provide the names of all owners as disclosed on the Economic Disclosure Statements. Robert Sekula and Eric Turrin | | |
|-----|--|--|--|
| 7. | On what date did the owner acquire legal title to the subject property? January 2018 | | |
| 3. | Has the present owner previously rezoned this property? If Yes, when? No | | |
| 9. | Present Zoning District: <u>B3-3</u> Proposed Zoning District: <u>B2-3</u> | | |
| 10. | Lot size in square feet (or dimensions): 21,477 square feet | | |
| 11. | Current Use of the Property: The subject property is currently improved with a four-story mixed-use building (common address 3264-70 N. Clark St./901 W. School St.) containing approximately 7,600 square feet of grade level retail space and thirty (30) residential units above, and a surface parking lot (common address 913 W. School St.) | | |
| 12. | Reason for rezoning the property: The Applicant is seeking to develop the surface parking lot at 913 W. School St. with a new five-story residential building. The Applicant is also proposing to convert one (1) retail unit located below the building's second floor at 3264-70 N. Clark St./901 W. School St. to a residential unit. | | |
| 13. | Describe the proposed use of the property after the rezoning. Indicate the number of dwelling unit number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC): The Applicant is proposing to develop the surface parking lot located at 913 W. School St. with a new five-story residential building containing twenty-two (22) residential units (18 typical dwelling units and 4 efficiency units). The proposed building will measure 57 feet-5 inches in height and be masonry in construction. The proposed building will be supported by twelve (12) onsite parking spaces and sixteen (16) bicycle parking spaces. The Applicant is also proposing to convert one (1) retail unit located below the second floor of the existing mixed-use building at 3264-70 N. Clark St./901 W. School St. to a residential unit (30 residential units being increased to 31 residential units). The existing mixed-use building at 3264-70 N. Clark St./901 W. School St. will otherwise remain without change with respect to total floor area and building height. The subject property is located within 506 feet of the Belmont Ave. CTA Station and is therefore eligible as a Transit Oriented Development. | | |
| 14. | The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit www.cityofchicago.org/ARO for more information). Is this project subject to the ARO? | | |
| | YES_XNO | | |
| | *2 ARO units required for the residential building proposed at 913 W. School St. | | |

COUNTY OF COOK STATE OF ILLINOIS

I, Robert Sekula, on behalf of 3264 Clark, LLC, an Illinois limited liability company, being first duly sworn on oath, state that all of the above statements and the statements contained in the documents submitted herewith are, to the best of my knowledge, true and correct.

Signature of Applicant

Subscribed and Sworn to before me this

2 day of August, 2018.

Notary Public

OFFICIAL SEAL
NICHOLAS FTIKAS
NOTARY PUBLIC - STATE OF ILLINOIS
My Commission Expires September 28, 2020

For Office Use Only

Date of Introduction:

File Number:

Ward:

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

| A. Legal name of the Disclosing Par | ty submitting this EDS. In | nclude d/b/a/ if applicable: |
|---|--|---|
| 3264 Clark, LLC | | |
| Check ONE of the following three | boxes: | · |
| the contract, transaction or other und "Matter"), a direct or indirect interes name: OR | lding, or anticipated to hold lertaking to which this ED to the tin excess of 7.5% in the to the tor indirect right of control | Applicant. State the Applicant's legal l of the Applicant (see Section II(B)(1)) |
| | | |
| B. Business address of the Disclosir | ng Party: 1517 N. Nort | h Park Ave., Unit 2 |
| · · | Chicago, IL | 60610 |
| C. Telephone: <u>312-782-1983</u> | Fax: 312-782-2433 | Email: nick@sambankslaw.com |
| D. Name of contact person: Nichol | as Ftikas - Attorney | · |
| E. Federal Employer Identification | No. (if you have one): | |
| F. Brief description of the Matter to property, if applicable): | which this EDS pertains. | (Include project number and location of |
| Zoning Amendment Application for | r 901-915 W. School Street ar | nd 3264-3270 N. Clark Street |
| G. Which City agency or departmen | nt is requesting this EDS?_ | DPD/COZ |
| If the Matter is a contract being hand complete the following: | dled by the City's Departm | nent of Procurement Services, please |
| Specification # | and Contract | # |
| Ver.2017-1 | Page 1 of 14 | |

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

| A. NATURE OF THE DISCLOSING PARTY | T . |
|--|--|
| Indicate the nature of the Disclosing Parel Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership Limited partnership Trust | rty: [X] Limited liability company [] Limited liability partnership [] Joint venture [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify) |
| 2. For legal entities, the state (or foreign coun | atry) of incorporation or organization, if applicable: |
| Illinois | |
| 3. For legal entities not organized in the State business in the State of Illinois as a foreign ent | of Illinois: Has the organization registered to do tity? |
| [] Yes [] No | [X] Organized in Illinois |
| B. IF THE DISCLOSING PARTY IS A LEG | AL ENTITY: |
| the entity; (ii) for not-for-profit corporations are no such members, write "no members whice similar entities, the trustee, executor, administ limited partnerships, limited liability compared to the compar | oplicable, of: (i) all executive officers and all directors of s, all members, if any, which are legal entities (if there ch are legal entities"); (iii) for trusts, estates or other strator, or similarly situated party; (iv) for general or anies, limited liability partnerships or joint ventures, ager or any other person or legal entity that directly or t of the Applicant. |
| NOTE: Each legal entity listed below must su | bmit an EDS on its own behalf. |
| Name | Title |
| 3264 Clark NPV Manager, LLC | Manager |

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. 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: Each legal entity listed below may be required to submit an EDS on its own behalf.

| Name | Busin | ess Address | Percentage Ir | nterest in the | Applicant |
|---|--|---|---------------------------------------|---------------------------|--|
| 3264 Clark NPV Mar | nager, LLC | 1517 N. North Park Ave | e., Unit 2 | | 100% |
| | | Chicago, IL 60610 | | | ······································ |
| SECTION III IN OFFICIALS | COME O | R COMPENSATION | TO, OR OWNERSH | IIP BY, CIT | Y ELECTEI |
| Has the Disclosing l 12-month period pre | · - | led any income or comdate of this EDS? | pensation to any City | elected offici [] Yes | al during the [x] No |
| _ | • | onably expect to provid onth period following | · · · · · · · · · · · · · · · · · · · | | ny City [x] No |
| If "yes" to either of describe such incom | - | olease identify below the | ne name(s) of such Cit | y elected offi | cial(s) and |
| | <u>, </u> | | N/A | <u> </u> | |
| inquiry, any City ele | ected officia | or, to the best of the Disal's spouse or domestic Code of Chicago ("Mo | partner, have a finance | ial interest (a | |
| | • | the name(s) of such Cit | ty elected official(s) ar | nd/or spouse(| s)/domestic |
| partner(s) and descr | nde une iina | nciai interest(s). | N/A | | |
| | | | | | |

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), 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. 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 retained or anticipated Address to be retained) Business Address | Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.) | Fees (<u>indicate whether</u> <u>paid or estimated</u> .) NOTE: "hourly rate" or "t.b.d." is not an acceptable response. |
|--|--|--|
| Law Offices of Sam Banks - Attorney | /s | 1 P |
| 221 N. LaSalle St., 38th Floor | | Est. \$9,500.00 |
| Chicago, IL 60601 | | |
| (Add sheets if necessary) | | , |
| [] Check here if the Disclosing Part SECTION V CERTIFICATION | • | tain, any such persons or entities. |
| A. COURT-ORDERED CHILD SU | PPORT COMPLIANCE | |
| Under MCC Section 2-92-415, substremain in compliance with their child | | |
| Has any person who directly or indirarrearage on any child support obliga | • | <u> </u> |
| [] Yes [x] No [] No person of | directly or indirectly owns 10% or m | nore of the Disclosing Party. |
| If "Yes," has the person entered into is the person in compliance with that | | ment of all support owed and |

B. FURTHER CERTIFICATIONS

[] No

- 1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).
- 2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

[] Yes

- 3. 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, during the 5 years before 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 subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before 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.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) 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 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 Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated 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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 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 subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any 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.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant 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 MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant 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 Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

| | . If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further rtifications), the Disclosing Party must explain below: |
|---------------|---|
| | N/A |
| | |
| | the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively esumed that the Disclosing Party certified to the above statements. |
| mo | To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a mplete list of all current employees of the Disclosing Party who were, at any time during the 12-onth period preceding the date of this EDS, an employee, or elected or appointed official, of the City Chicago (if none, indicate with "N/A" or "none"). |
| | |
| the off mathe | To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a implete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed ficial, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything ade generally available to City employees or to the general public, or (ii) food or drink provided in a course of official City business and having a retail value of less than \$25 per recipient, or (iii) a litical contribution otherwise duly reported as required by law (if none, indicate with "N/A" or one"). As to any gift listed below, please also list the name of the City recipient. |
| <u>С</u> . | 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 MCC Section 2-32-455(b). |
| 2. | If the Disclosing Party IS a financial institution, then the Disclosing Party pledges: |
| pl M | We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further edge that none of our affiliates is, and none of them will become, a predatory lender as defined in CC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a redatory lender may result in the loss of the privilege of doing business with the City." |

contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

| | | N/A |
|---|--|---|
| | the word "None," or no response med that the Disclosing Party certi | appears on the lines above, it will be fied to the above statements. |
| D. CERTIFICATION | ON REGARDING FINANCIAL I | NTEREST IN CITY BUSINESS |
| Any words or terms | s defined in MCC Chapter 2-156 h | nave the same meanings if used in this Part D. |
| after reasonable inc | | the best of the Disclosing Party's knowledge ee of the City have a financial interest in his or entity in the Matter? |
| [] Yes | [x] No | |
| • | cked "Yes" to Item $D(1)$, proceed tems $D(2)$ and $D(3)$ and proceed t | to Items D(2) and D(3). If you checked "No" to Part E. |
| official or employe other person or ent taxes or assessmen "City Property Sale | e shall have a financial interest in ity in the purchase of any property ts, or (iii) is sold by virtue of legal | bidding, or otherwise permitted, no City elected his or her own name or in the name of any that (i) belongs to the City, or (ii) is sold for process at the suit of the City (collectively, ken pursuant to the City's eminent domain the meaning of this Part D. |
| Does the Matter in | volve a City Property Sale? | |
| [] Yes | [×] No | |
| | | ames and business addresses of the City officials tify the nature of the financial interest: |
| Name | Business Address | Nature of Financial Interest |
| | | N/A |

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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 (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. |
|---|
| x 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: |
| N/A |
| 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, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary): N/A |
| · · · · · · · · · · · · · · · · · · · |
| |
| (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 |

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 Ver.2017-1

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registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on

behalf of the Disclosing Party with respect to the Matter.)

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," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 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. N/A

| | | N/A |
|------------------------|--------------------|---|
| If you checked "No" | to question (1) or | (2) above, please provide an explanation: |
| [] Yes | [] No | • |
| equal opportunity cla | • • | |
| 3. Have you particing | oated in any previ | ous contracts or subcontracts subject to the |
| [] Yes | [] No | [] Reports not required |
| | s, or the Equal Er | orting Committee, the Director of the Office of Federal Contract imployment Opportunity Commission all reports due under the |
| [] Yes | [] No | |
| federal regulations? | (See 41 CFR Part | eve on file affirmative action programs pursuant to applicable (60-2.) |
| 1 77 1 1 | 1 11 1 | |
| If "Yes," answer the t | hree questions be | elow: |
| [] Yes | [] No | , |
| Is the Disclosing Part | y the Applicant? | |

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

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 Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance 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 this ordinance.
- 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 City transactions. 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 in, and appended to, this EDS may be made publicly available 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 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 MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

CERTIFICATION

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

| 3264 Clark, LLC |
|--|
| (Print or type exact legal name of Disclosing Party) |
| By: |
| (Sign here) |
| Robert Sekula |
| (Print or type name of person signing) |
| Manager of 3264 Clark NPV Manager, LLC |
| (Print or type title of person signing) |
| Signed and sworn to before me on (date) |
| Delular States |
| Notary Public OFFICIAL SEAL NICHOLAS FTIKAS NICHOLAS FTIKAS |
| Commission expires: 9-39-2020 NICHOLAST THE NICHOLAST TH |

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%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under MCC 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% 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 | |
|-------------------|----------------------------|--|
| which such person | is connected; (3) the name | and title of such person, (2) the name of the legal entity to and title of the elected city official or department head to and (4) the precise nature of such familial relationship. |
| | | N/A |
| | <u> </u> | |

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

| | | 10, is the Applicant or any Owner identified as a building code to MCC Section 2-92-416? |
|---------|--|---|
| [] Yes | [x] No | , |
| | — • • • | blicly traded on any exchange, is any officer or director of code scofflaw or problem landlord pursuant to MCC Section |
| [] Yes | [] No | [x] The Applicant is not publicly traded on any exchange. |
| • | cofflaw or problen | entify below the name of each person or legal entity identified n landlord and the address of each building or buildings to which |
| | ······································ | N/A |
| | | |
| | | |

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

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| A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: |
|--|
| 3264 Clark NPV Manager, LLC |
| Check ONE of the following three boxes: |
| Indicate whether the Disclosing Party submitting this EDS is: 1. [] the Applicant OR 2. [] a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name: OR 3. [x] a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1)) State the legal name of the entity in which the Disclosing Party holds a right of control: |
| 3264 Clark, LLC |
| B. Business address of the Disclosing Party: 1517 N. North Park Ave., Unit 2 |
| Chicago, IL 60610 |
| C. Telephone: 312-782-1983 Fax: 312-782-2433 Email: nick@sambankslaw.com |
| D. Name of contact person: Nicholas Ftikas - Attorney |
| E. Federal Employer Identification No. (if you have one): |
| F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable): |
| Zoning Amendment Application for 901-915 W. School Street and 3264-3270 N. Clark Street |
| G. Which City agency or department is requesting this EDS? |
| If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following: |
| Specification # and Contract # |

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SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

| 1. Indicate the nature of the Disclosing Pa | urty: |
|--|--|
| Person | [x] Limited liability company |
| Publicly registered business corporation | [] Limited liability partnership |
| Privately held business corporation | [] Joint venture |
| Sole proprietorship | 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) |
| [] | [] (4 |
| | |
| 2. For legal entities, the state (or foreign cour | ntry) of incorporation or organization, if applicable: |
| , | 4 |
| Illinois | \ |
| 2 Familiand and the state of th | |
| <u> </u> | e of Illinois: Has the organization registered to do |
| business in the State of Illinois as a foreign en | inty? |
| [] Yes | [X] Organized in Illinois |
| | |
| B. IF THE DISCLOSING PARTY IS A LEG | SAL ENTITY: |
| | |
| · • • • • • • • • • • • • • • • • • • • | oplicable, of: (i) all executive officers and all directors of |
| | s, all members, if any, which are legal entities (if there |
| | ch are legal entities"); (iii) for trusts, estates or other |
| | strator, or similarly situated party; (iv) for general or |
| | anies, limited liability partnerships or joint ventures, |
| | ager or any other person or legal entity that directly or |
| indirectly controls the day-to-day management | nt of the Applicant. |
| NOTE: Each lead on the live distance | show it are FDC are its arrow halve IC |
| NOTE : Each legal entity listed below must su | ibmit an EDS on its own behalf. |
| Name | Title |
| Tuille | 1100 |
| Robert Sekula | Manager |
| · · · · · · · · · · · · · · · · · · · | |

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. 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: Each legal entity listed below may be required to submit an EDS on its own behalf.

| Name | Business Address | Percentage Ir | nterest in the | Applicant |
|---|---|---|---|-------------------------------|
| Robert Sekula | 1517 N. North Park Ave | ., Unit 2 | | 50% |
| Eric Turrin | Chicago, IL 60610 | | | 50% |
| SECTION III I OFFICIALS | INCOME OR COMPENSATION | O, OR OWNERSE | ПР ВҮ, СП | TY ELECTED |
| _ | g Party provided any income or comporeceding the date of this EDS? | ensation to any City | elected offic [] Yes | ial during the [x] No |
| | • | | 1 | ~1. |
| | ng Party reasonably expect to providering the 12-month period following t | • | | any City [x].No |
| elected official du If "yes" to either o | | ne date of this EDS? | [] Yes | [x] No |
| elected official du If "yes" to either o | ring the 12-month period following to f the above, please identify below the | ne date of this EDS? | [] Yes | [x] No |
| If "yes" to either or describe such incomplete any City election inquiry, any City elections. | ring the 12-month period following to f the above, please identify below the | ne date of this EDS? name(s) of such Cit N/A closing Party's knowled partner, have a finance | [] Yes y elected off edge after reial interest (| [x] No icial(s) and easonable |

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), 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. 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 retained or anticipated to be retained) | Business Address | Relationship 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. |
|--|---------------------|--|--|
| Law Offices of Sam Banks | - Attorney: | S | not an acceptable response. |
| 221 N. LaSalle St., 38th Fl | oor | | |
| Chicago, IL 60601 | | *Est. \$9,500.00 paid | d by Applicant, 3264 Clark, LLC |
| (Add sheets if necessary) | | | |
| [] Check here if the Disc | closing Party | has not retained, nor expects to r | etain, any such persons or entitie |
| SECTION V CERTIF | FICATIONS | S | |
| A. COURT-ORDERED | CHILD SUI | PPORT COMPLIANCE | |
| | • | antial owners of business entities t support obligations throughout th | • |
| · - | • | ectly owns 10% or more of the Distions by any Illinois court of comp | |
| []Yes [x]No [] | No person d | irectly or indirectly owns 10% or | more of the Disclosing Party. |
| If "Yes," has the person e is the person in complian | | a court-approved agreement for pa agreement? | yment of all support owed and |

B. FURTHER CERTIFICATIONS

[] No

- 1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).
- 2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

[] Yes

- 3. 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, during the 5 years before 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 subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before 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.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) 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 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 Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated 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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 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 subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any 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.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant 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 MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant 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 Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

| Certifications), the Disclosing Party must explain below: | |
|---|--|
| | N/A |
| | |
| If the letters "NA," the word "None," or no response appears on the presumed that the Disclosing Party certified to the above statements. | • |
| 12. To the best of the Disclosing Party's knowledge after reasonable complete list of all current employees of the Disclosing Party who we month period preceding the date of this EDS, an employee, or elected of Chicago (if none, indicate with "N/A" or "none"). | vere, at any time during the 12- |
| | N/A |
| | |
| 13. To the best of the Disclosing Party's knowledge after reasonable complete list of all gifts that the Disclosing Party has given or cause the 12-month period preceding the execution date of this EDS, to an official, of the City of Chicago. For purposes of this statement, a "g made generally available to City employees or to the general public, the course of official City business and having a retail value of less to political contribution otherwise duly reported as required by law (if "none"). As to any gift listed below, please also list the name of the | ed to be given, at any time during a employee, or elected or appointed aft" does not include: (i) anything, or (ii) food or drink provided in than \$25 per recipient, or (iii) a none, indicate with "N/A" or |
| C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION | ON |
| The Disclosing Party certifies that the Disclosing Party (check of [] is [x] is not | ne) |
| a "financial institution" as defined in MCC Section 2-32-455(b). | |
| 2. If the Disclosing Party IS a financial institution, then the Disclos | sing Party pledges: |
| "We are not and will not become a predatory lender as defined in M pledge that none of our affiliates is, and none of them will become, | - |

contractor/subcontractor that does not provide such certifications or that the Applicant has reason to

believe has not provided or cannot provide truthful certifications.

MCC Chapter 2-32. 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."

| | | • |
|--|---|--|
| | | N/A |
| | | |
| | " the word "None," or no response a med that the Disclosing Party certif | ppears on the lines above, it will be led to the above statements. |
| D. CERTIFICAT | ION REGARDING FINANCIAL I | NTEREST IN CITY BUSINESS |
| Any words or term | ns defined in MCC Chapter 2-156 h | ave the same meanings if used in this Part D. |
| after reasonable in | | ne best of the Disclosing Party's knowledge e of the City have a financial interest in his or natity in the Matter? |
| [] Yes | [x] No | |
| | ecked "Yes" to Item D(1), proceed Items D(2) and D(3) and proceed to | to Items D(2) and D(3). If you checked "No" Part E. |
| official or employ other person or en taxes or assessment "City Property Sa | ee shall have a financial interest in l tity in the purchase of any property nts, or (iii) is sold by virtue of legal | idding, or otherwise permitted, no City elected his or her own name or in the name of any that (i) belongs to the City, or (ii) is sold for process at the suit of the City (collectively, en pursuant to the City's eminent domain he meaning of this Part D. |
| Does the Matter in | nvolve a City Property Sale? | |
| [] Yes | [×] No | • |
| <u>-</u> | , , <u>-</u> | mes and business addresses of the City officials fy the nature of the financial interest: |
| Name | Business Address | Nature of Financial Interest |
| | | N/A |
| | | |

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F CERTIFICATION REGARDING STAVERY ERABLISINESS. '

| Please check either (1) or (2) below. If the Disclosing Party checks (2), the D must disclose below or in an attachment to this EDS all information required by (comply with these disclosure requirements may make any contract entered into w connection with the Matter voidable by the City. | 2). Failure to with the City in and all records of estments or profits insurance policies their slaves), and step (1) above, the eholder insurance |
|--|--|
| the Disclosing Party and any and all predecessor entities regarding records of inversion slavery or slaveholder insurance policies during the slavery era (including in issued to slaveholders that provided coverage for damage to or injury or death of the Disclosing Party has found no such records. 2. The Disclosing Party verifies that, as a result of conducting the search in Disclosing Party has found records of investments or profits from slavery or slave policies. The Disclosing Party verifies that the following constitutes full disclosure. | estments or profits nsurance policies their slaves), and step (1) above, the cholder insurance |
| Disclosing Party has found records of investments or profits from slavery or slave policies. The Disclosing Party verifies that the following constitutes full disclosure | eholder insurance |
| • . | ose records: |
| | N/A |
| | |
| SECTION VI CERTIFICATIONS FOR FEDERALLY FUNDED MATTI | |
| NOTE: If the Matter is federally funded, complete this Section VI. If the Ma federally funded, proceed to Section VII. For purposes of this Section VI, tax or | |
| 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 Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf Party with respect to the Matter: (Add sheets if necessary): | |
| | N/A |

(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, as amended, 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 Ver.2017-1

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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," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 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. N/A

| Is the Disclosing Party the I | Applicant? [] No | | |
|--|--|-----------------|--|
| If "Yes," answer the three q | questions below: | | |
| federal regulations? (See 4 | d do you have on file affirmative action programs pursuan 1 CFR Part 60-2.) [] No | t to applicable | |
| Compliance Programs, or tapplicable filing requireme | | | |
| [] Yes | [] No [] Reports not required | | |
| 3. Have you participated is equal opportunity clause? | n any previous contracts or subcontracts subject to the | | |
| [] Yes | [] No | | |
| If you checked "No" to question (1) or (2) above, please provide an explanation: | | | |
| | | N/A | |

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

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 Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance 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 this ordinance.
- 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 City transactions. 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 in, and appended to, this EDS may be made publicly available 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 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 MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

CERTIFICATION

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

| 3264 Clark NPV Manager, LLC |
|--|
| (Print or type exact legal name of Disclosing Party) |
| By: |
| (Sign here) |
| Robert Sekula |
| (Print or type name of person signing) |
| Manager |
| (Print or type title of person signing) |
| Signed and sworn to before me on (date) <u>August 21,20,</u> to at <u>Cash</u> County, <u>T</u> (state). |
| Notary Public OFFICIAL SEAL NICHOLAS FTIKAS NOTARY PUBLIC - STATE OF ILLINOIS My Commission Expires September 28, 2020 Commission expires: 9-26-2020 |

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%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under MCC 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% 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 | |
|-------------------|----------------------------|--|
| which such person | is connected; (3) the name | and title of such person, (2) the name of the legal entity to and title of the elected city official or department head to , and (4) the precise nature of such familial relationship. |
| | | N/A |
| | | |

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

| | | o MCC Section 2-92-416? |
|---------|---------------------|--|
| [] Yes | [x] No | |
| | • • • | licly traded on any exchange, is any officer or director of de scofflaw or problem landlord pursuant to MCC Section |
| [] Yes | [] No ` | [x] The Applicant is not publicly traded on any exchange. |
| • ' ' | scofflaw or problem | ntify below the name of each person or legal entity identified landlord and the address of each building or buildings to which |
| | | N/A |
| | | |
| | , | |