



City of Chicago



O2018-4309

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 5/23/2018

Sponsor(s): Emanuel (Mayor)

Type: Ordinance

Title: Sixth Amendment to private telecommunications system Agreement and Ordinance of July 31, 1990 with DePaul University for state-of-the-art interoffice telecommunications systems at various locations within city's public ways and tunnels

Committee(s) Assignment: Committee on Transportation and Public Way

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

May 23, 2018

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Transportation, I transmit herewith an amendment to a grant of authority for DePaul University to maintain and operate an interoffice telecommunication system within the city's public ways, steam tunnels and freight tunnels.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

WHEREAS, Various person have requested permission to place two-way high-speed interoffice telecommunications systems consisting of fiber optic and copper cables for internal use and not for sale, resale, exchange or lease in the public ways of the City of Chicago, Illinois (the "City"); and

WHEREAS, It is in the best interest of the City to provide permits facilitating the development of state-of-the-art interoffice telecommunications systems in the City; and

WHEREAS, It is in the best interest of the City that the City receive fair and reasonable compensation from persons using the public assets of the streets and ways for interoffice telecommunications; and

WHEREAS, The City wished to provide uniform terms and conditions to the greatest extent possible for qualified persons who have requested permission to place interoffice telecommunications systems in the public ways for internal use and not for sale, resale, exchange or lease; and

WHEREAS, DePaul University (the "Grantee"), is an Illinois not-for-profit corporation which is authorized and engaged in the endeavor of providing higher education in Illinois; and

WHEREAS, Grantee received permission and authority to maintain and operate as constructed a two-way high-speed private line telecommunications system in the public ways of the City for internal use and not for sale, resale, exchange or lease to third parties nor with the objective of generating revenues or profits from the City Council of the City (the "City Council") by an ordinance adopted by the City Council on July 31, 1990 and published in the Journal of Proceedings of the City Council of the City (the "Journal") of such date at pages 19516 through 19542 (the "Prior Ordinance"); as amended by an ordinance adopted by the City Council on May 19, 1993 and published in the Journal of such date at pages 32454 through 32486 (the "Amendment"); as further amended by an ordinance adopted by the City Council on June 14, 1995 and published in the Journal of such date at pages 3192 through 3241 (the "Second Amendment"); as further amended by an ordinance adopted by the City Council on May 14, 1997 and published in the Journal of such date at pages 44348 through 44362 (the "Third Amendment"); as further amended by an ordinance adopted by the City Council on October 4, 2006 and published in the and published in the Journal of such date at pages 86515 through 87585 (the "Fourth Amendment"); as further amended by an ordinance adopted by the City Council of the City of Chicago on June 5, 2013 and published in the Journal of such date at pages 55023-55082 (the "Fifth Amendment" and collectively with the Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment, the "Amendments"); and

WHEREAS, Pursuant to Section 2.4 of the Prior Ordinance, Grantee wishes to renew, preserve and extend the privileges to use the authorized routes; and

WHEREAS, Grantee's telecommunications system will be used solely to further the tax exempt and/or not-for-profit purpose of Grantee and not for sale, resale, exchange or lease to third parties nor with the objective of generating revenues or profit; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Pursuant to Section 2.2 and 2.4 of the Prior Ordinance and the Amendments the terms of this ordinance and the rights of Grantee shall be five (5) years from and after the date of passage of this ordinance by the City Council of the City (the "Expiration Date")

SECTION 2. Section 2.5 of the Prior Ordinance, as amended, under the subheading "Location of Authorized Routes" is hereby deleted in its entirety and replaced with the following: "Grantee System may extend for a total distance of seven thousand eight hundred ninety-nine (7,899) linear feet composed of nineteen thousand five hundred seventy-six (19,576) linear feet of Cable Conduit along authorized routes set forth in Exhibit 1 attached hereto and incorporated herein.

SECTION 3. All other terms of the Prior Ordinance, as amended, shall remain in full force and effect. The insurance provisions, letter of credit requirements and the annual fee shall be maintained at their current levels and rate.

SECTION 4. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall be in full force and effect upon its passage and approval.

Location Description

DePaul Telecommunications System Conduit Locations

1 150 West Fullerton Avenue to 2345 North Clifton Avenue

Two (2) four (4) inch conduit exit the northwest corner of 2345 North Clifton Avenue, heading west on W. Fullerton along the south curb line approximately two hundred sixty (260) feet across, turning north towards the southeast corner of 150 W. Fullerton approximately sixty (60) feet entering the south elevation basement of 150 West Fullerton Avenue.

Total footage in the Public Ways for this component is approximately three hundred twenty (320) feet. Total Linear Footage is six hundred and forty (640) feet.

2 2311 North Racine Avenue to 2330 North Clifton Avenue

Two (2) four (4) inch conduit exiting 2330 North Clifton, running west approximately fifty-four (54) feet then turning south and entering 2311 North Racine.

Total footage in the Public Way for this component is approximately fifty-four (54) feet. Total Linear Footage is one hundred eight (108) feet.

3 2330 North Clifton Avenue to 2345 North Clifton Avenue

Four (4) four (4) inch conduit exiting 2345 North Clifton Avenue, running west approximately sixty-two (62) feet across and entering 2330 North Clifton Avenue.

Total footage in the Public Way for this component is approximately sixty-two (62) feet. Total Linear Footage is two hundred forty eight (248) feet.

4 150 West Fullerton Avenue to 2350 North Kenmore Avenue

One (1) four (4) inch conduit exiting 150 West Fullerton, running southwest approximately sixty-six (66) feet across to the southwest corner of 2350 North Kenmore.

Total footage in the Public Way for this component is approximately sixty six (66) feet. Total Linear Footage is sixty six (66) feet.

5 2425 North Sheffield Avenue to 2320 North Kenmore Avenue

One (1) four (4) inch conduit exiting east/west Alley North of 939-959 West Fullerton and running one hundred fifty-seven (157) feet west and turns south running five hundred forty (540) feet to the manhole in the east/west Alley North of 1000-1047 West Belden Avenue and goes west four hundred twenty-five (425) feet to 2320 North Kenmore Avenue.

Total footage in the Public Way for this component is approximately one thousand one hundred twenty-two (1122) feet. Total Linear Footage is one thousand one hundred twenty-two (1,122) feet.

6 2320 North Kenmore Avenue to 2219 North Kenmore Avenue

Four (4) four (4) inch conduit exiting 2219 North Kenmore Avenue, running north approximately five hundred seventy-five (575) feet across to the intersection of West Belden Avenue, turning west and running west approximately three hundred and one (301) feet and entering 2320 North Kenmore Avenue.

Total footage in the Public Way for this component is approximately eight hundred seventy-six (876) feet. Total Linear Footage is three thousand five hundred four (3,504) feet.

7 2320 North Kenmore Avenue to 2244 North Seminary Avenue

One (1) four (4) inch conduit exiting 2244 North Seminary Avenue, running east fifty (50) feet across Kenmore Avenue then north one hundred eighty-five (185) feet crossing Belden Avenue and entering 2320 North Kenmore Avenue.

Total footage in the Public Way for this component is approximately two hundred thirty-five (235) feet. Total Linear Footage is two hundred thirty-five (235) feet.

8 2250 North Sheffield Avenue to 2219 North Kenmore Avenue

Two (2) four (4) inch conduit exiting 2250 North Sheffield Avenue, running south approximately three hundred and forty-eight (348) feet to 2219 North Kenmore Avenue.

Total footage in the Public Way for this component is approximately three hundred and forty-eight (348) feet. Total Linear Footage is six hundred ninety-six (696) feet.

9 1010 West Webster Avenue to 2235 North Sheffield Avenue

One (1) four (4) inch conduit exiting 1010 West Webster Avenue, running east approximately seventy-five (75) feet across and entering the southwest corner of 2235 North Sheffield Avenue.

Total footage in the Public Way for this component is approximately seventy-five (75) feet. Total Linear Footage is seventy five (75) feet.

10 2219 North Kenmore Avenue to 2135 North Kenmore Avenue

One (1) four (4) inch conduit exiting 2219 North Kenmore Avenue (Byrne Hall) Building at its southwest elevation, proceeding south on North Kenmore Avenue approximately three (3) feet below grade under the public sidewalk, across West Webster Avenue, and under the public parkway south of West Webster Avenue two hundred fifty-five (255) feet to the east/west Alley South of Webster Avenue, turning ten (10) feet east into the east/west alley and proceeding five (5) feet south into the 2135 North Kenmore Avenue Building (Theatre School).

Total footage in the Public Way for this component is approximately two hundred and seventy (270) feet. Total Linear Footage is two hundred seventy (270) feet.

11 2135 North Kenmore Avenue to 2130 North Kenmore Avenue

One (1) four (4) inch conduit exiting 2130 North Kenmore Avenue at its south elevation, proceeding east across North Kenmore Avenue approximately seventy-five (75) feet and entering 2135 North Kenmore Avenue at its southwest elevation.

Total footage in the Public Way for this component is approximately seventy-five (75) feet. Total Linear Footage is seventy five (75) feet.

12 2315 North Kenmore Avenue to 2331 North Sheffield Avenue

Two (2) four (4) inch conduits exiting 2315 North Kenmore Avenue and proceeding north for two hundred and twenty-five (225) feet through the north/south Alley West of 2308-2314 North Sheffield Avenue to a communications manhole.

Total footage in the Public Way for this component is two hundred twenty five (225) feet. Total Linear Footage is four hundred fifty (450) feet.

Then four (4) four (4) inch conduits exiting the communication manhole proceeding east for two hundred forty-one (241) feet through the east/west Alley North of 100-1047 West Belden Avenue and across Sheffield Avenue and entering 2331 North Sheffield Avenue at its east elevation.

Total footage in the Public Way for this component is two hundred forty one (241) feet. Total Linear Footage is nine hundred sixty four (964) feet.

13 2320 North Kenmore Avenue to 2326 North Sheffield Avenue

Two (2) four (4) inch conduits exiting 2320 North Kenmore Avenue on its northeast elevation and proceeding east for three hundred thirty-two (332) feet across Kenmore Avenue, through the east/west Alley North of 100-1047 West Belden Avenue, and turning north into 2326 North Sheffield Avenue on its north elevation.

Total footage in the Public Way for this component is approximately three hundred thirty-two (332) feet. Total Linear Footage is six hundred sixty four (664) feet.

14 2320 North Kenmore Avenue to 2358 North Sheffield Avenue

Two (2) four (4) inch conduits exiting 2320 North Kenmore Avenue on its northeast elevation and proceeding east for three hundred fifty-two (352) feet across Kenmore Avenue, through the east/west Alley North of 100-1047 West Belden Avenue, and turning north into 2358 North Sheffield Avenue on its south elevation.

Total footage in the Public Way for this component is approximately three hundred fifty-two (352) feet. Total Linear Footage is seven hundred four (704) feet.

15 2320 North Kenmore Avenue to 2331 North Sheffield Avenue

Four (4) four (4) inch conduits exiting 2320 North Kenmore Avenue on its northeast elevation and proceeding east for four hundred eighty-three (483) feet across North Kenmore Avenue, through the east/west Alley North of 100-1047 West Belden Avenue and across North Sheffield Avenue and entering 2331 North Sheffield Avenue on its southwest elevation.

Total footage in the Public Way for this component is approximately four hundred eighty-three (483) feet. Total Linear Footage is one thousand nine hundred thirty two (1932) feet.

16 2358 North Sheffield Avenue to 2331 North Sheffield Avenue

One (1) two (2) inch conduit exiting 2358 North Sheffield Avenue on its south elevation and proceeding one hundred fourteen (14) feet across West Fullerton Avenue and into 2331 North Sheffield Avenue at its east elevation.

Total footage in the Public Way for this component is approximately one hundred fourteen (14) feet. Total Linear Footage is one hundred fourteen (14) feet.-

17. 2330 North Clifton Avenue to 2350 North Racine Avenue

Two (2) four (4) inch conduits exiting 2330 North Clifton Avenue and proceeding west for two hundred and six (206) feet through the east/west Alley South of 140-157 West Fullerton Avenue and across North Racine Avenue entering 2350 North Racine Avenue at its east elevation

Total footage in the Public Way for this component is approximately two hundred and six (206) feet. Total Linear Footage is four hundred twelve (412) feet.

18 .2331 North Sheffield Avenue to 759 West Belden Avenue

One (1) six (6) inch conduit exiting from the north/south Alley East of 2301-2310 North Sheffield and proceeding under the CTA tracks. Continuing on at N. Fremont St. & W. Belden Ave. and running east along the north parkway for approximately Four hundred twenty-five (425) feet and proceeding to approximately ninety-five (95) feet east of the intersection of North Dayton Street and West Belden Avenue and runs east onto private property (DePaul).

Total footage in the Public Way is five hundred twenty (520) feet. Total Linear Footage is five hundred twenty (520) feet.

Then, four (4) four (4) inch conduits exiting approximately thirteen (13) feet north of the north line of West Belden Ave. at the northwest corner of North Halsted Street and running east for approximately one hundred ninety-seven (197) feet to the Alley South of 743-751 West Belden Ave. and running south in the alley for one hundred (100) feet.

Total footage in the Public Way for this component is approximately three hundred ten (310) feet. Total Linear Footage is one thousand two hundred forty (1240) feet.

19 55 East Jackson Boulevard to 25 East Jackson Boulevard

One (1) four (4) inch conduit exiting 25 West Jackson Boulevard and running east approximately fifty-nine (59) feet across to 55 West Jackson Boulevard.

Total footage in the Public Way for this component is approximately fifty-nine (59) feet. Total Linear Footage is fifty nine (59) feet.

20 14 East Jackson Boulevard to "Santa Fe tunnels"

One (1) two (2) inch conduit exiting 14 East Jackson Boulevard and running east approximately four hundred ninety-six (496) feet across to 89 East Jackson Boulevard and 224 South Michigan Avenue (Santa Fe Building) in the Chicago Freight Tunnel System.

Total footage in the Public Way for this component is approximately four hundred ninety-six (496) feet.

Total Linear Footage is four hundred ninety six (496) feet.

21 64 East Jackson Boulevard to 25 East Jackson Boulevard "tunnels"

Four (4) four (4) inch conduits containing copper cable and three (3) and one-half (3 1/2) inch conduits containing fiber optic cable running through a portion of the Chicago Freight Tunnels, as follows:

Exiting 25 East Jackson Boulevard (Lewis Center) at the third (3rd) basement level proceeding twenty-five (25) feet east into Chicago Freight Tunnels, then turning north seventy-five (75) feet into the South Wabash Avenue portion of the Chicago Freight Tunnels to the intersection of East Jackson Boulevard and South Wabash Avenue, turning east and proceeding approximately three hundred (300) feet on Jackson Boulevard to 50 East Jackson Boulevard (Santa Fe Building) then turning north ten (10) feet into the 50 East Jackson Building branch and into the 50 East Jackson Building basement of 50 East Jackson Boulevard, exiting at the west elevation of the building into conduits placed beneath the north/south public alley to the east of South Wabash Avenue and proceeding twenty (20) feet west into the 64 East Jackson Building (Administration Center).

Total footage in the Chicago Freight Tunnels for this component is approximately four hundred thirty (430) feet. Total Linear Footage is three thousand ten (3,010) feet.

22 1 East Jackson Boulevard to 23 East Jackson Boulevard

Four (4) four (4) inch conduits existing 1 East Jackson on the east elevation and crossing the north/south alley between 1 East Jackson and 23 East Jackson and for Eighteen (18) feet and entering 23 E. Jackson.

Total footage in the Public Way for this component is approximately Eighteen (18) feet Total Linear Footage is seventy two (72) feet.

23 2129 North Kenmore Avenue to 2130 North Kenmore Avenue

One (1) four (4) inch conduit exiting an underground manhole in the alley adjacent to 2129 North Kenmore, running west under North Kenmore approximately fifty (50) feet to the west side parkway of North Kenmore, turning south in the parkway and running approximately one hundred (100) feet south to 2130 North Kenmore, turning west from the parkway and under the sidewalk approximately thirty (30) feet into the 2130 North Kenmore building.

Total footage in the Public Way for this component is approximately one hundred eighty (180) feet. Total Linear Footage is one hundred eighty (180) feet.

Steam & Chilled Water Piping Location

24 64 East Jackson Boulevard to 25 East Jackson Boulevard "Tunnels"

Two (2) six inch chilled water pipes, one (1) 8 inch steam pipe, and one (1) condensate return pipe, all wrapped with two inches of fiberglass insulation, running through a portion of the Chicago Freight Tunnels, as follows:

Exiting 25 East Jackson Boulevard (Lewis Center) at the third (3rd) basement level, proceeding twenty-five (25) feet east into Chicago Freight Tunnels, then turning north seventy-five (75) feet into the South Wabash Avenue portion of the Chicago Freight Tunnels to the intersection of East Jackson Boulevard and South Wabash Avenue, turning east and proceeding approximately three hundred (300) feet on Jackson Boulevard to SO East Jackson Boulevard (Santa Fe Building) then turning north ten (10) feet into the SO East Jackson Building branch and into the SO East Jackson Building basement of SO East Jackson Boulevard, exiting at the west elevation of the building into conduits placed beneath the north/south public alley to the east of South Wabash Avenue and proceeding twenty (20) feet west into the 64 East Jackson Building (Administration Center).

Total footage in the Chicago Freight Tunnels for this component is approximately four hundred thirty (430) feet. Total Linear Footage is one thousand seven hundred twenty (1720) feet.

DePaul Telecommunications System Conduit Locations (Incls Steam & Chilled Water Lines)

<u>Location Number</u>	<u>Point to Point LF</u>	<u>Number of Conduits</u>	<u>Total FL Per Location</u>
1	320	2	640
2	54	2	108
3	62	4	248
4	66	1	66
5	1,122	1	1,122
6	876	4	3,504
7	235	1	235
8	348	2	696
9	75	1	75
10	270	1	270
11	75	1	75
12	225	2	450
	241	4	964
13	332	2	664
14	352	2	704
15	483	4	1,932
16	114	1	114
17	206	2	412
18	520	1	520
	310	4	1,240
19	59	1	59
20	496	1	496
21	430	7	3,010
22	18	4	72
23	180	1	180
24	430	4	1,720
Total	7,899		19,576

**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:

DePaul University

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. 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: _____

B. Business address of the Disclosing Party: 1 E. Jackson Boulevard
Chicago, Illinois 60604

C. Telephone: 312-362-8074 Fax: 312-476-3242 Email: rraguse@depaul.edu

D. Name of contact person: Rick Raguse, Esq.

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):

Underground Telecommunications Conduit & Tunnel Piping Grant of Privilege

G. Which City agency or department is requesting this EDS? Department of Law

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

Specification # _____ and Contract # _____

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- | | |
|---|---|
| <input type="checkbox"/> Person | <input type="checkbox"/> Limited liability company |
| <input type="checkbox"/> Publicly registered business corporation | <input type="checkbox"/> Limited liability partnership |
| <input type="checkbox"/> Privately held business corporation | <input type="checkbox"/> Joint venture |
| <input type="checkbox"/> Sole proprietorship | <input checked="" type="checkbox"/> Not-for-profit corporation |
| <input type="checkbox"/> General partnership | (Is the not-for-profit corporation also a 501(c)(3))? |
| <input type="checkbox"/> Limited partnership | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Trust | <input type="checkbox"/> 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 Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) **for not-for-profit corporations**, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) **for trusts, estates or other similar entities**, the trustee, executor, administrator, or similarly situated party; (iv) **for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures**, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name	Title
<u>See Exhibit A, attached hereto and made part hereof.</u>	
<hr/>	
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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 Interest in the Applicant
None		

SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? Yes No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? Yes No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? Yes No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(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 (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 (<u>indicate whether paid or estimated.</u>) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
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(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 MCC 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 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 compliance with that agreement?

Yes No

B. FURTHER CERTIFICATIONS

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.

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

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

11. 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.

12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

None.

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete 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 official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

is 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:

"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in 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."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, 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 FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, 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 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), skip Items D(2) and D(3) and 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 financial interest and identify the nature of the financial interest:

Name	Business Address	Nature of Financial 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 (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:

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):

(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

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.

Is the Disclosing Party the Applicant?

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.)

Yes

No

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

Reports not required

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

Yes

No

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

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

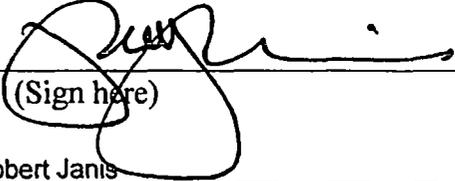
- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's 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.

DePaul University

(Print or type exact legal name of Disclosing Party)

By: 
(Sign here)

Robert Janis

(Print or type name of person signing)

Vice President of Facility Operations

(Print or type title of person signing)

Signed and sworn to before me on (date) May 10, 2018,

at Cook County, Illinois (state).


Notary Public



Commission expires: Feb. 26, 2021

**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

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 nature of such familial relationship.

**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.

1. Pursuant to MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes No The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

EXHIBIT A

EXECUTIVE OFFICERS

A. Gabriel Esteban, Ph.D., President
Rev. Dennis H. Holtschneider, C.M., Ed.D., Chancellor
Marten denBoer, Ph.D., Provost
Jeffrey Bethke, Executive Vice President
Rev. Edward R. Udovic, C.M., Ph.D., Secretary of the University

BOARD OF TRUSTEES

Chair: Mr. James Ryan
Vice-Chair: Ms. Lori Holland

Adams, Joseph
Argianas, Peter C.
Atwood, Karen M.
Beeson, Gerald A.
Bennett, William E.
Bowman, Biff
Brennan, John L.
Brinkley, Ruth W.
Chico, Gery J.
Clark, Frank M.
Cualoping, Sebastian S
Dempsey, Mary A.
Esteban, Gabriel
Fauerbach, Therese
Fitzpatrick, S.C., Margaret M.
Flores, Ezequiel
Gerritson, Sasha L.
Gougis, Chester A.
Greffin, Judith P.
Grisham, Arnold T.
Harczak, Harry J
Heller, Donald.
Herencia, Roberto R

Holland, Lori
Holley, Kerrie
Janiak, Stacy
Knight, Timothy
Kusack, William P.
Logothetis, Demetrios G.
Maher, C.M., James J.
Michelotti, Carla R.
Pramaggiore, Anne R.
Pranaitis, C.M., Mark S.
Rogers, Sr., Larry R.
Ruff, George
Ryan, James T.
Sarowitz, Jessica
Savacool, Kristi
Scudder, Michael
Sheehy, John
Skender, Joseph
Togher, Renee
Ustian, Daniel C.
Van Dorpe, C.M., Raymond A.
Weil, Dia S.