

# City of Chicago



O2010-6964

# Office of the City Clerk

# City Council Document Tracking Sheet

Meeting Date: 12/8/2010

Status: Introduced

Sponsor(s): Mayor

Type: Ordinance

Title: Sale of City-owned Property to Thresholds

Committee(s) Assignment: Committee on Housing and Real Estate



# OFFICE OF THE MAYOR CITY OF CHICAGO

RICHARD M. DALEY

December 8, 2010

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

Ladies and Gentlemen:

At the request of the Commissioner of Community Development, I transmit herewith ordinances amending the terms of previously authorized land sales.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

#### ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City's Department of Community Development (including any successor department thereto, "DCD") is an executive department of the City established pursuant to Chapter 2-44 of the Municipal Code of Chicago (the "Municipal Code"), and supervises and coordinates the formulation and execution of projects and programs creating safe, decent and affordable housing for residents of the City; and

WHEREAS, by an ordinance adopted by the City Council of the City (the "City Council") on March 28, 2001, as amended by ordinances adopted on October 31, 2001, June 19, 2002, December 14, 2005 and November 1, 2006 (collectively, the "CPAN Ordinance"), the City established the Chicago Partnership for Affordable Neighborhoods Program ("CPAN Program"), in order to encourage developers to include owner-occupied affordable housing units in market-rate developments; and

WHEREAS, under the CPAN Program, the City agrees to waive certain development fees in exchange for a developer's agreement to construct affordable units in a market-rate development, sell the affordable units for affordable prices, and write-down the difference between the affordable price and the market rate price for a comparable unit in the same development; and

WHEREAS, pursuant to the objectives of the CPAN Program, DAGS Desplaines, LLC, an Illinois limited liability company ("Developer"), executed that certain "Chicago Partnership for Affordable Neighborhoods (CPAN) Application" ("CPAN Application"), whereby Developer agreed to sell 24 condominium units (the "Affordable Units") in the 237-unit condominium building located at 659 West Randolph Street and known as R+D659 Condominiums (the "Building") to income-eligible households for affordable prices; and

WHEREAS, the Building is included in Residential-Business Planned Development Number 1043 ("PD 1043"), adopted by the City Council on February 7, 2007, and published at pages 98611 to 98631 in the *Journal of Proceedings of the City Council of the City of Chicago* of such date; and

WHEREAS, PD 1043 also requires the Developer to provide the Affordable Units in return for the Building's receipt of an affordable housing floor area bonus pursuant to Section 17-4-1004 of the Chicago Zoning Ordinance; and

WHEREAS, the Developer constructed the Building and began marketing the Affordable Units in 2007, but has only sold five (5) of the 24 Affordable Units due to the recession and a slowdown in the housing market; and

**WHEREAS**, The Thresholds, an Illinois not-for-profit corporation ("<u>Thresholds</u>"), is a mental health services provider, offering a range of clinical, housing, outreach, education and employment services to people with mental illnesses; and

- WHEREAS, Thresholds offers a variety of community housing options to its clients, ranging from supervised group homes to independent apartments, and serves approximately 600 people in the Chicagoland area; and
- WHEREAS, Thresholds has offered to purchase the 19 remaining unsold Affordable Units in the Building for lease to clients for independent living with supportive services, and the Developer desires to sell the units to Thresholds; and
- WHEREAS, Thresholds is also interested in purchasing one of the five previously sold Affordable Units in the Building (the "Owner-Occupied Unit") for lease to clients for independent living with supportive services; and
- WHEREAS, Thresholds will perform a thorough assessment of all residents to ensure that each resident has the desire and the supports in place to integrate successfully into the Building; and
- WHEREAS, Thresholds will assign a staff member to each resident to offer on-site and off-site comprehensive support services tailored to each resident's needs and desires, which may include counseling, skills training, case management, support with medications, appointments and other health and wellness issues, educational advancement, social supports, employment opportunities, and engaging other services as needed; and
- WHEREAS, the CPAN Ordinance requires developers to sell CPAN units to individuals or households whose annual income does not exceed 100% of the Chicago-area median income ("CPAN Homebuyers"); and
- WHEREAS, the CPAN Ordinance does not contemplate the sale of CPAN units to non-profit corporations or other organizations, and therefore Thresholds does not qualify as a CPAN Homebuyer; and
- WHEREAS, the Owner-Occupied Unit is subject to an "Affordable Housing Restrictive Covenant and Agreement, Including Resale, Refinancing and Leasing Covenants, Conditions and Restrictions, and Purchase Option Rights" ("Restrictive Covenant"), which imposes certain resale restrictions and does not permit the sale of the unit to a non-profit corporation or other organization; and
- **WHEREAS**, there is a lack of clean, safe, affordable housing for people with disabilities, leading to homelessness and costly and unnecessary institutional care; and
- WHEREAS, Chicago's Five Year Housing Plan for 2009-2013 identifies the creation and preservation of affordable rental housing for people with disabilities as a top priority; and
- WHEREAS, it is in the public interest to permit the sale of the 19 unsold Affordable Units and the Owner-Occupied Unit to Thresholds in order to increase the availability of housing options for people with mental disabilities; and
- WHEREAS, Thresholds has agreed to lease such Affordable Units on a permanent basis (minimum one-year lease terms) to individuals or households whose annual income does not exceed sixty percent (60%) of the Chicago-area median income ("Income-Eligible Tenants"), subject to and in accordance with the terms and conditions of such regulatory agreements, mortgages, assignments or other documents or instruments that evidence, secure or govern the

loan or grant of funds for the purchase and operation of the Affordable Units from the Illinois Housing Development Authority and the Illinois Department of Human Services (collectively, the "State Financing Documents"); now, therefore,

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

- **SECTION 1**. The above findings and recitals are hereby incorporated by reference and constitute a material part of this ordinance.
- SECTION 2. The City Council hereby approves the sale of the 19 unsold Affordable Units to Thresholds, or to an entity of which Thresholds is the sole controlling party, for no more than \$125,750.00 per Affordable Unit. The City Council also approves the sale of the Owner-Occupied Unit to Thresholds, or to an entity of which Thresholds is the sole controlling party, for no more than the Maximum Purchase Price (as such term Is defined in the Restrictive Covenant), and the release of the Restrictive Covenant encumbering the Owner-Occupied Unit. The sale of such Affordable Units is subject to the condition that, at the time of purchase, Thresholds shall execute, deliver and record an affordable housing covenant or lien ("Affordable Housing Covenant") in a form approved by DCD and the Corporation Counsel. Notwithstanding the foregoing, the Commissioner of DCD (the "Commissioner"), may elect not to record said Affordable Housing Covenant if the Commissioner determines, in his or her sole discretion, that the affordable Housing Covenant is imposed upon the Affordable Units by the State Financing Documents achieve the City's affordable housing objectives. The sale of the Affordable Units to Thresholds as aforesaid shall satisfy Developer's affordable housing obligations with respect to the Building.
- <u>SECTION 3</u>. The Commissioner or a designee of the Commissioner is each hereby authorized to negotiate, execute and deliver any documents as may be necessary or appropriate to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.
- **SECTION 4.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.
- **SECTION** 5. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.
- **SECTION 6.** This ordinance shall be in full force and effect immediately upon its passage and approval.

# 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:	
DAGS DesPlaines, LLC	
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submitting this EDS is:  1. [x] the Applicant  OR	
2. [] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of Applicant in which the Disclosing Party holds an interest:  OR	
3. [] a legal entity with a right of control (see Section II.B.I.) State the legal name of the entity which the Disclosing Party holds a right of control:	' in
B. Business address of the Disclosing Party:  353 N. Clark Street	
Chicago, Illinois 60654	_
C. Telephone: 312-595-7801 Fax: 312-595-7830 Email: dadducci@mesirowflnancial  D. Name of contact person: Dominic Adducci	com
E. Federal Employer Identification No. (if you have one): 20-3241996	-
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") which this EDS pertains. (Include project number and location of property, if applicable):	to
Approval of ordinance approving sale of affordable units at 659 West Randolph to not-for-profit organization providing affordable rental residential units to income-eligible of	ients
G. Which City agency or department is requesting this EDS? Department of Community Development	-
If the Matter is a contract being handled by the City's Department of Procurement Services, pleat complete the following:	se
Specification # and Contract #	<u>-</u>

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing P	arty:
[] 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)
2. For legal entities, the state (or foreign	country) of incorporation or organization, if applicable:
Illinois	
	<del></del>
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 en	ntity?
[] Yes [] No	[¾ N/A
B. IF THE DISCLOSING PARTY IS A LEG	GAL ENTITY:
1 I ist halow the full names and titles of	all executive officers and all directors of the entity.
	list below all members, if any, which are legal entities. If
	ers." For trusts, estates or other similar entities, list below
the legal titleholder(s).	Tot traces, course or constrained contract, not color
	ed partnership, limited liability company, limited liability
	me and title of each general partner, managing member,
	ntrols the day-to-day management of the Disclosing Party.
NOTE: Each legal entity listed below must s	
-	
Name	Title
MFDE-DAGS, LLC Managin	ng member
•	

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

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

Percentage Interest in the

Business Address

Name

1 (41114	Dabinos Haaros	i ereembe kiirerest iii iiie
MFDE-DAGS, LLC	353 N. Clark Street, Chicago,	Disclosing Party Illinois 60654 100% ownership
SECTION III B	USINESS RELATIONSHIPS V	WITH CITY ELECTED OFFICIALS
		ship," as defined in Chapter 2-156 of the Municipal s before the date this EDS is signed?
[ ] <b>Y</b> es	[ <b>}</b> No	
If yes, please identirelationship(s):	fy below the name(s) of such City	y elected official(s) and describe such

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

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

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

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

Name (indicaté whethe retained or anticipated to be retained)	r Business Address	Relationship to (subcontractor, lobbyist, etc.)	Disclosing Party attorney,	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
DLA Piper LLP (US)	203 N. LaSalle	e, Ste. 1900	Attorney	\$25,000 (est.)
	Chicago, Illir	nois		
(Add sheets if necessar	y)			
[] Check here if the Di	sclosing Party has	s not retained, no	r expects to retain	a, any such persons or entities
SECTION V CERT	IFICATIONS			
A. COURT-ORDERE	D CHILD SUPPC	ORT COMPLIAN	NCE .	
•		5		s entities that contract with oughout the contract's term.
Has any person who disarrearage on any child	•			sing Party been declared in nt jurisdiction?
[] Yes [X]		person directly o closing Party.	or indirectly owns	10% or more of the
If "Yes," has the person is the person in complia			reement for paym	ent of all support owed and
[]Yes []	No		•	
B. FURTHER CERTIF	FICATIONS			

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

# C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The D	isclosing Party certifies t	hat the Disclosing Party (check one)
•	Note:	Mesirow Financial Services, Inc., and
[] is	[X] is not	Mesirow Financial Holdings, Inc., affiliates of
[]15	[]	the Disclosing Party, are "financial institutions"
a "financial ir	nstitution" as defined in S	Section 2-32-455(b) of the Municipal Code.

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

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

If the Disclosing Party is	unable to make this pledge be	ecause it or any of its affiliates	(as defined in
Section 2-32-455(b) of th	e Municipal Code) is a preda	tory lender within the meaning	g of Chapter
2-32 of the Municipal Co	ode, explain here (attach addit	tional pages if necessary):	•
-			

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [x] No

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

elected official or e any other person or for taxes or assessm "City Property Sale	mployee shall have a financial inte entity in the purchase of any propo tents, or (iii) is sold by virtue of le	re bidding, or otherwise permitted, no City crest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain powerning of this Part D.
Does the Matter inv	olve a City Property Sale?	
[]Yes	[ ] No	
· · · · · · · · · · · · · · · · · · ·	ed "Yes", to Item D.I., provide the ees having such interest and identif	names and business addresses of the City fy the nature of such interest:
Name	Business Address	Nature of Interest
	ing Party further certifies that no p City official or employee.	prohibited financial interest in the Matter will
E. CERTIFICATIO	N REGARDING SLAVERY ERA	A BUSINESS
disclose below or in comply with these of	an attachment to this EDS all info	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Party from slavery or slav issued to slaveholde	y and any and all predecessor entity reholder insurance policies during	ing Party has searched any and all records of ies regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party ha policies. The Discl	s found records of investments or osing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ring constitutes full disclosure of all such slaveholders described in those records:
		·

### SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying								
Disclosure Act of 1995 who have made lob	isclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with							
espect 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 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.I. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. 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 I	arty the Applicant?
[]Yes	[ ] No
If "Yes," answer t	e three questions below:
	eveloped and do you have on file affirmative action programs pursuant to applicabl? (See 41 CFR Part 60-2.)
[ ] Yes	[] No
Contract Complia	led with the Joint Reporting Committee, the Director of the Office of Federal ce Programs, or the Equal Employment Opportunity Commission all reports due e filing requirements?  [] No
3. Have you pequal opportunity	articipated in any previous contracts or subcontracts subject to the clause?
[] Yes	[ ] No
If you checked "N	o" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.citvofchicago.org/Ethics">www.citvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

# **CERTIFICATION**

Print or type name of Disclosing Party)

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

(Sign here)	<u> </u>
(Print or type name of person signing)	
CFO OF MEGIPON FINAN	WAL PEAL ESTATE, INC., A MEMBET
(Print or type title of person signing)	OF MESIPON FINANCIAL DEVELOPER EQUITY LLC, THE SOLE HEMBER OF MFDE-DAGS, LLC, THE SOLE YOVEN (a. 30, 2000, MEMBER OF THE
Signed and swom to before me on (date) M	Your la 30 200, MEMBER OF THE
at Mufaçi Connty In. no.	(state). DISCLOSING PART  Notary Public.
Commission expires: OFFICIAL SEAL LAURA D LEWANDOWSKI NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:11/18/12	

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "famihal 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 hability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

[ ] <b>Y</b> es	[x] No				
such person is comed	tify below (1) the name a cted; (3) the name and tit relationship, and (4) the	tle of the elected city	official or depa	rtment head to whom su	
		·			
1					

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting	ng this EDS. Include d/b/a/ if applicable:	·
MFDE-DAGS, LLC		
Check ONE of the following three boxes:	:	
Indicate whether the Disclosing Party submitting 1. [] the Applicant OR	g this EDS is:	
	ct interest in the Applicant. State the legal name olds an interest: DAGS DesPlaines, LLC	
3. [] a legal entity with a right of control (se which the Disclosing Party holds a right of c	ee Section II.B.1.) State the legal name of the er	ıtity in
B. Business address of the Disclosing Party:	353 N. Clark Street	
7	Chicago, Illinois 60654	
C. Telephone: 312-595-7801 Fax: 312  D. Name of contact person: Dominic Adducci	-595-7830 Email: dadducci@mesirowfinan	cial.com
E. Federal Employer Identification No. (if you h	ave one): 20-5317032	
F. Brief description of contract, transaction or of which this EDS pertains. (Include project numb	<u> </u>	er") to
Approval of ordinance approving sale of affordance not-for-profit organization providing affordance		<u>e cli</u> ent:
G. Which City agency or department is requesti	ng this EDS? Department of Community Developm	ment
If the Matter is a contract being handled by the complete the following:	ne City's Department of Procurement Services, p	please
Specification #	and Contract #	1_

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Par	ty:
[] 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
[] Tmst	[] Other (please specify)
2. For legal entities, the state (or foreign co	ountry) of incorporation or organization, if applicable:
Illinois	
	<del></del>
3. For legal entities not organized in the St business in the State of Illinois as a foreign ent	ate of Illinois: Has the organization registered to do ity?
[] Yes [] No	[¾ N/A
B. IF THE DISCLOSING PARTY IS A LEGA	AL ENTITY:
NOTE: For not-for-profit corporations, also list there are no such members, write "no members the legal titleholder(s).  If the entity is a general partnership, limited partnership or joint venture, list below the name	Il executive officers and all directors of the entity. It below all members, if any, which are legal entities. If It is a restate or other similar entities, list below  partnership, limited liability company, limited liability  e and title of each general partner, managing member,  rols the day-to-day management of the Disclosing Party.  mit an EDS on its own behalf.
Name Mesirow Financial Developer Equity, LLC	Title Managing Member

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

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

Name	Business Address	Percentage Interest in the
Mesirow Financial Dev	veloper Equity, LLC 353 N. Clark Stree	Disclosing Party t, Chicago Illinois 60654 100%
		:
SECTION III E	BUSINESS RELATIONSHIPS W	ITH CITY ELECTED OFFICIALS
	ing Party had a "business relationshi y elected official in the 12 months b	ip," as defined in Chapter 2-156 of the Municipal pefore the date this EDS is signed?
[] <b>Y</b> es	[ } No	
If yes, please ident relationship(s):	ify below the name(s) of such City of	elected official(s) and describe such
		· · · · · · · · · · · · · · · · · · ·

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

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

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

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

Name (indicate whether retained or anticipated to be retained)	er 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.
(Add sheets if necessar	ry)		
[] Check here if the D	isclosing Party h	as not retained, nor expects to retain	n, any such persons or entities
SECTION V CERT	TIFICATIONS		
A. COURT-ORDERE	D CHILD SUPP	ORT COMPLIANCE	
		-415, substantial owners of business th their child support obligations thr	
• •	•	lly owns 10% or more of the Disclo	
[] Yes [x		o person directly or indirectly owns sclosing Party.	s 10% or more of the
If "Yes," has the person is the person in compli		court-approved agreement for paym greement?	ent of all support owed and
[] Yes [	] No		
B. FURTHER CERTI	FICATIONS		
consult for defined terms submitting this EDS is certifies as follows: (i)	ms (e.g., "doing l the Applicant ar neither the Appl	apter 1-23, Article I ("Article I")(who business") and legal requirements), and is doing business with the City, the licant nor any controlling person is ever been convicted of, or placed und	if the Disclosing Party hen the Disclosing Party currently indicted or charged

Page 4 of 13

criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitmst statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concem:
  - 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

# C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing	g Party certifies t	that the Disclosing Party (check one) Mesirow Financial Services, Inc., and
[ ] is	<sup>X</sup> ] is not	Mesirow Financial Holdings, Inc., affiliates of
		the Disclosing Party, are "financial institutions"
a "financial institution	ı" as defined in S	Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing	ng Party IS a fina	ancial institution, then the Disclosing Party pledges:
Code. We further ple lender as defined in C	dge that none of hapter 2-32 of the n affiliate of a pr	edatory lender as defined in Chapter 2-32 of the Municipal four affiliates is, and none of them will become, a predatory he Municipal Code. We understand that becoming a predatory redatory lender may result in the loss of the privilege of doing
Section 2-32-455(b) c	of the Municipal	Code) is a predatory lender within the meaning of Chapter here (attach additional pages if necessary):
	-	or no response appears on the lines above, it will be sing Party certified to the above statements.
D. CERTIFICATION	REGARDING	INTEREST IN CITY BUSINESS
Any words or terms the meanings when used		n Chapter 2-156 of the Municipal Code have the same
		56-110 of the Municipal Code: Does any official or employee his or her own name or in the name of any other person or
[] Yes	[x] No	• •

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

Item D.I., 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 in	nvolve a City Property Sale?	
[]Yes	[ ] No	
	ked "Yes" to Item D.1., provide the yees having such interest and identif	names and business addresses of the City y the nature of such interest:
Name	Business Address	Nature of Interest
E. CERTIFICATI  Please check endisclose below or comply with these	y City official or employee.  ON REGARDING SLAVERY ERA  ther 1. or 2. below. If the Disclosing in an attachment to this EDS all info	BUSINESS  g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Par from slavery or sl issued to slavehol	rty and any and all predecessor entiti aveholder insurance policies during	ing Party has searched any and all records of es regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party I policies. The Dis	nas found records of investments or p closing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ing constitutes full disclosure of all such laveholders 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.

1. List below the names of all persons or entities registered under the federal Lobbying

#### A. CERTIFICATION REGARDING LOBBYING

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.I. 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 P	arty the Applicant?
[]Yes	[ ] No
If "Yes," answer th	three questions below:
•	eveloped and do you have on file affirmative action programs pursuant to applicable (See 41 CFR Part 60-2.)
[]Yes	[ ] No
Contract Complian	led with the Joint Reporting Committee, the Director of the Office of Federal ce Programs, or the Equal Employment Opportunity Commission all reports due e filing requirements?  [] No
3. Have you pa	articipated in any previous contracts or subcontracts subject to the
equal oppormnity	lause?
[] Yes	[ ] No
	See A Section 1997
If you checked "No	o" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.citvofchicago.org/Ethics">www.citvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified roffenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide tmthful certifications.

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

# **CERTIFICATION**

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

MFDE-DAGO, LLC
(Print or type name of Disclosing Party)
By: Musus (Sign here)
KPISTIE PASKVAN
(Print or type name of person signing)
CFO OF MESIRON FIHANCIAL REAL ESTATE, INC., A (Print or type title of person signing) MEMBER OF MESIRON FINANCIAL DEVELOPER EQUITY, LLC, THE SOLE MEMBER OF THE DISCLOSING PARTY
Signed and sworn to before me on (date) November 30, 2010,
at Da Pase County, Lilinois (state).  Notary Public.
Commission expires:
<b></b>

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Apphcable 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 HDS 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 H.B. l.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief fmancial 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] <b>N</b> o	•
such person is connecte	ed; (3) the name and title of the	of such person, (2) the name of the legal entity to which elected city official or department head to whom such ature of such familial relationship.

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

	·	
A. Legal name of the Disclosing Party submitting	ng this EDS. Include d/b/a/ if applicable:	
Mesirow Financial Developer Equity, LLC		
Check ONE of the following three boxes:		
Indicate whether the Disclosing Party submitting 1. [] the Applicant OR	g this EDS is:	
<ol> <li>[x] a legal entity holding a direct or indirect Applicant in which the Disclosing Party holding</li> <li>OR</li> </ol>	ct interest in the Applicant. State the legal name of the olds: an interest: DAGS DesPlaines, LLC	
3. [] a legal entity with a right of control (se which the Disclosing Party holds a right of c	ee Section II.B.1.) State the legal name of the entity in ontrol:	
B. Business address of the Disclosing Party:	353 N. Clark Street	
	Chicago, Illinois 60654	
	-595-7830 Email: dadducci@mesirowfinancial.com	
D. Name of contact person: Dominic Adducci		
E. Federal Employer Identification No. (if you h	ave one): 20-5083753	
F. Brief description of contract, transaction or of which this EDS pertains. (Include project numb Approval of ordinance approving sale of afford	· · · · · · · · · · · · · · · · · ·	
	ple rental residential units to income-eligible client	
G. Which City agency or department is requesti	ng this EDS? Department of Community Development	
If the Matter is a contract being handled by the complete the following:	ne City's Department of Procurement Services, please	
Specification #	and Contract #	

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

<ol> <li>Indicate the nature of the Disclosing Pa</li> <li>Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Tmst</li> </ol>	[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 of	country) of incorporation or organization, if applicable:
Illinois	<del></del>
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do tity?
[] Yes [] No	[*] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
NOTE: For not-for-profit corporations, also I there are no such members, write "no member the legal titleholder(s).  If the entity is a general partnership, limited partnership or joint venture, list below the name	all executive officers and all directors of the entity. ist below all members, if any, which are legal entities. If rs." For tmsts, estates or other similar entities, list below d partnership, limited liability company, limited liability me and title of each general partner, managing member, atrols the day-to-day management of the Disclosing Party. abmit an EDS on its own behalf.
Name Mesirow Financial Real Estate, Inc.	Title Managing Member
	·
indirect beneficial interest (including ownersh	on concerning each person or entity having a direct or nip) in excess of 7.5% of the Disclosing Party. Examples ation, 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 tmst, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Percentage Interest in the

Business Address

Name

			1 0100mmBo mitorost m	1 1110
Mesirow Financial Real	Estate, Inc. 353 N	. Clark Street,	Disclosing Party Chicago Illinois 60654	51% ownership
Levy MR Investor, LLC	144 N.	MICHIGA	N AVE. 60611	49% ownership
SECTION III BUSII  Has the Disclosing Pa  Code, with any City elec	arty had a "business	relationship," a	s defined in Chapter 2-1	56 of the Municipal
[ ] <b>Y</b> es	[ <b>}</b> No			
If yes, please identify be relationship(s):	elow the name(s) of	such City electe	d official(s) and describ	e such

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

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

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

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

Name (indicate whether 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.		
		·			
(Add sheets if necessary	)		· · · · · · · · · · · · · · · · · · ·		
[] Check here if the Disc	closing Party h	as not retained, nor expects to retain	n, any such persons or entities		
SECTION V CERTI	FICATIONS				
A. COURT-ORDERED	CHILD SUPP	PORT COMPLIANCE			
_		2-415, substantial owners of business th their child support obligations thr			
		tly owns 10% or more of the Disclo			
[] Yes [X] ]	[X] No [] No person directly or indirectly owns 10% or more of the Disclosing Party.				
If "Yes," has the person is the person in complian		court-approved agreement for paymgreement?	ent of all support owed and		
[]Yes []I	No	·			
B. FURTHER CERTIF	ICATIONS				
	-	apter 1-23, Article I ("Article I")(who have in each requirements)			

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

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitmst statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concem:
  - 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 Enfity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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.

$\boldsymbol{C}$	CERTIFICATION	OF CTATIC	ACTINANCIAL	INCTITITION
<b>C</b> .	CERTIFICATION	Or SIMIUS	VO LIMUMOTUT	

1. The I	Disclosing Party certifies	that the Disclosing Party (check one)
	Note:	Mesirow Financial Services, Inc., and
[] is [X] is not		Mesirow Financial Holdings, Inc., affiliates of
1 1	.,	the Disclosing Party, are "financial institutions
u.c. ' 1		0 1 0 00 455(1) 6(1 ) 4 1 1 1 (1 )

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

ection 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter				
2-32 of the Municipal Code, explain here (attach additional pages if necessary):	•			

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [x] No

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

elected official or any other person of for taxes or assess "City Property Sal does not constitute	employee shall have a financial interpretation of the purchase of any properments, or (iii) is sold by virtue of lege"). Compensation for property takes a financial interest within the mean	rest in his or her own name or in the name of crty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain power ting of this Part D.
Does the Matter in	volve a City Property Sale?	
[] Yes	[ ] No	
	ked "Yes" to Item D.I., provide the gees having such interest and identif	names and business addresses of the City y the nature of such interest:
Name	Business Address	Nature of Interest
	osing Party further certifies that no p y City official or employee.	rohibited fmancial interest in the Matter will
E. CERTIFICATI	ON REGARDING SLAVERY ERA	BUSINESS
disclose below or comply with these	in an attachment to this EDS all info	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Par from slavery or sl issued to slavehol	rty and any and all predecessor entiti aveholder insurance policies during	ng Party has searched any and all records of es regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party I policies. The Dis	nas found records of investments or p closing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ing constitutes full disclosure of all such laveholders 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.

1. List below the names of all persons or entities registered under the federal Lobbying

#### A. CERTIFICATION REGARDING LOBBYING

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing P	rty the Applicant?	
[]Yes	[ ] No	
If "Yes," answer th	three questions below:	
1. Have you de	veloped and do you have on file affirmative action programs pursuant to app	licable
federal regulations	(See 41 CFR Part 60-2.)	
[]Yes	[ ] No	
2. Have you fi	ed with the Joint Reporting Committee, the Director of the Office of Federal	
<del>-</del>	e Programs, or the-Equal Employment Opportunity Commission all reports of	
under the applicab	filing requirements?	
[] Yes	[ ] No	
3. Have you pa	ticipated in any previous contracts or subcontracts subject to the	
equal opportunity		
[] Yes	[] No	
If you checked "No	' to question 1. or 2. above, please provide an explanation:	

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.citvofchicago.org/Ethics">www.citvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide tmthful certifications.

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

# **CERTIFICATION**

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

(Print or type name of Disclosing Party)
By: Sign here)
(Print or type name of person signing)
(Print or type title of person signing)  A MEMBER OF THE DISCLOSING PAPTY
Signed and sworn to before me on (date) November 30, 2010, at Dustree County, Illing (state).  Notary Public.
Commission expires:  OFFICIAL SEAL  OFFICIAL SEAL

NOTARY PUBLIC - STATE OF ILLINOIS

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive 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	·	
such person is connec	cted; (3) the name and title of the	le of such person, (2) the name of the legal en the elected city official or department head to be nature of such familial relationship.	•
			- - ·

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting	ng this EDS. Include d/b/a/ if applicable:
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submitting 1. [] the Applicant OR	g this EDS is:
2. [3] a legal entity holding a direct or indire Applicant in which the Disclosing Party ho OR	ct interest in the Applicant. State the legal name of the olds an interest: DAGS DesPlaines, LLC
	ee Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	353 N. Clark Street
~ ~ ~	Chicago, Illinois 60654
C. Telephone: 312-595-7801 Fax: 312  D. Name of contact person: Dominic Adducei  E. Federal Employer Identification No. (if you have been supported by the support of the s	<del></del>
	other undertaking (referred to below as the "Matter") to
Approval of ordinance approving sale of affor not-for-profit organization providing afforda	dable units at 659 West Randolph to <u>ble rental residential nnits to income-eligible cli</u> ent
G. Which City agency or department is requesti	ing this EDS?Dapartment of Community Development
If the Matter is a contract being handled by the complete the following:	he City's Department of Procurement Services, please
Specification #	and Contract #

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the	nature of the Disclosing Pa	arty:
[] Person	_	[] Limited liability company
[] Publicly register	ed business corporation	[] Limited liability partnership
[*] Privately held by	usiness corporation	[] Joint venture
[] Sole proprietors	hip	[] Not-for-profit corporation
[] General partners	ship	(Is the not-for-profit corporation also a 501(c)(3))?
[] Limited partners	ship	[] Yes [] No
[] Trust		[] Other (please specify)
2. For legal ent	ities, the state (or foreign o	country) of incorporation or organization, if applicable:
-	ities not organized in the Se of Illinois as a foreign en	State of Illinois: Has the organization registered to do atity?
[] Yes	[ ] No	[*] N/A
B. IF THE DISCLO	OSING PARTY IS A LEG	AL ENTITY:
1 List below th	ne full names and titles of a	all executive officers and all directors of the entity.
		ist below all members, if any, which are legal entities. If
	-	rs." For trusts, estates or other similar entities, list below
the legal titleholder		
•	• •	d partnership, limited liability company, limited liability
		ne and title of each general partner, managing member,
manager or any other	er person or entity that con	strols the day-to-day management of the Disclosing Party.
NOTE: Each legal	entity listed below must su	abmit an EDS on its own behalf.
Name		Title
See attached		
<del>-</del>		on concerning each person or entity having a direct or
indirect beneficial i	nterest (including ownersh	nip) in excess of 7.5% of the Disclosing Party. Examples

of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

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

Name	Business Address	Percentage Interest in the
Mesirow Financial Rea	l Estate Brokerage, Inc. 353 N. Cl	Disclosing Party ark Street, Chicago, Illinois 60654 100% owner
***		
Has the Disclosing	g Party had a "business relations	WITH CITY ELECTED OFFICIALS  hip," as defined in Chapter 2-156 of the Municipal before the date this EDS is signed?
[]Yes	[ <b>¾</b> No	
• •	y below the name(s) of such City	v elected official(s) and describe such
relationship(s):	(	
7		

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

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

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

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

to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	"hourly rate" or "t.b.d." is not an acceptable response.
,			
(Add sheets if necessary)	<del></del>		· · · · · · · · · · · · · · · · · · ·
[] Check here if the Disc	closing Party h	as not retained, nor expects to	retain, any such persons or entities.
SECTION V CERTI	FICATIONS		
A. COURT-ORDERED	CHILD SUPP	ORT COMPLIANCE	
•		•	siness entities that contract with as throughout the contract's term.
• •	•	ely owns 10% or more of the Dons by any Illinois court of com	isclosing Party been declared in petent jurisdiction?
[] Yes [X] N		o person directly or indirectly sclosing Party.	owns 10% or more of the
If "Yes," has the person is the person in complian			payment of all support owed and
[]Yes []N	10		
B. FURTHER CERTIFI	CATIONS		
consult for defined terms submitting this EDS is the certifies as follows: (i) n with, or has admitted gui	s (e.g., "doing te Applicant at either the App alt of, or has ev	apter 1-23, Article I ("Article I business") and legal requiremend is doing business with the Clicant nor any controlling personer been convicted of, or placed apted, or conspiracy to commit	nts), if the Disclosing Party ity, then the Disclosing Party on is currently indicted or charged I under supervision for, any

Relationship to Disclosing Party Fees (indicate whether

Name (indicate whether

Business

perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities idenfified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitmst statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destmction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal 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 Enfity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affihated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)			
	Note:	Mesirow Financial Services, Inc., and	
[] is	[X] is not	Mesirow Financial Holdings, Inc., affiliates of	
	[ ]	the Disclosing Party, are "financial institutions"	

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

If the Disclosing Party is unable to	make this pledge becau	ise it or any of its a	ffiliates (as defined in		
Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter					
2-32 of the Municipal Code, explain	in here (attach addition	al pages if necessa	ry):_		
1 ,- 1	<b>(</b>	1 0	- 3)		
				-	

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

#### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[ ] Yes [x] No

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

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.  Does the Matter involve a City Property Sale?			
· ·	ked "Yes" to Item D.I., provide the recess having such interest and identify	names and business addresses of the City y the nature of such interest:	
Name	Business Address	Nature of Interest	
	sing Party further certifies that no processing City official or employee.	rohibited financial interest in the Matter will	
E. CERTIFICATI	ON REGARDING SLAVERY ERA	BUSINESS	
disclose below or comply with these	in an attachment to this EDS all info	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in	
the Disclosing Par from slavery or sla issued to slavehold	ty and any and all predecessor entiti weholder insurance policies during (	ng Party has searched any and all records of es regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and	
Disclosing Party h	as found records of investments or pelosing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ing constitutes full disclosure of all such laveholders 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

Disclosure Act of 1995 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 "No appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entiregistered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of Disclosing Party with respect to the Matter.)	ties	

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing	Party the Applicant?	• :
[] Yes	[] No	
If "Yes," answer	the three questions below:	
1. Have you	developed and do you have on file affi	irmative action programs pursuant to applicable
federal regulation	s? (See 41 CFR Part 60-2.)	
[] Yes	[ ] No	
2. Have you	filed with the Joint Reporting Commit	tee, the Director of the Office of Federal
-	nce Programs, or the Equal Employm ble filing requirements?	ent Opportunity Commission all reports due
[] Yes	[ ] No	
3. Have you	participated in any previous contracts	or subcontracts subject to the
equal opportunity	clause?	
[] Yes	[ ] No	•••
If you checked "N	No" to question 1. or 2. above, please p	provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parfies List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide tmthful certifications.

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

# **CERTIFICATION**

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

Mesirow Financial Real Estate, Inc.
(Print or type name of Disclosing Party)
By: Sign here)
Kristie P. Paskvan
(Print or type name of person signing)
CFO
(Print or type title of person signing)
Signed and sworn to before me on (date) October 8, 2010
chicago County, Illinois (state).
Sure Dennatural Notary Public.
Commission expirericial SEAL  LAURA D LEWANDOWSKI  NOTARY PUBLIC - STATE OF ILLINOIS  MY COMMISSION EXPIRES:11/18/12

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

[ ] Yes	[x] No	
such person is connec	cted; (3) the name and title of th	e of such person, (2) the name of the legal entity to which he elected city official or department head to whom such e nature of such familial relationship.

Entity Name	Manager Name	Title	Title Role
Mesirow Financial Real Estate, Inc.	Paskvan, Kristie P.	Director	Director
Mesirow Financial Real Estate, Inc.	Price, Richard S.	Director	Director
Mesirow Financial Real Estate, Inc.	Tyree, James C.	Director	Director
Mesirow Financial Real Estate, Inc.	Stein, Richard A	Senior Managing Director	Officer
Mesirow Financial Real Estate, Inc.	Szkatulski, Michael	Senior Managing Director	Officer
Mesirow Financial Real Estate, Inc.	Adducci, Dominic J.	Managing Director	Officer
Mesirow Financial Real Estate, Inc.	Karczewski, Gregory M	Managing Director	Officer
Mesirow Financial Real Estate, Inc.	Currin, Rux B.	Senior Vice President	Officer
Mesirow Financial Real Estate, Inc.	Helmetag, Christian	Senior Vice President	Officer
Mesirow Financial Real Estate, Inc.	Rotholz, David	Senior Vice President	Officer
Mesirow Financial Real Estate, Inc.	Regan, Ronald	Vice President	Officer
Mesirow Financial Real Estate, Inc.	Lewandowski, Laura D	Assistant Secretary	Officer
Mesirow Financial Real Estate, Inc.	Schreiber, Renee M	Assistant Secretary	Officer
Mesirow Financial Real Estate, Inc.	Black, Dennis B.	Senior Managing Director and Secretary	Officer
Mesirow Financial Real Estate, Inc.	Paskvan, Kristie P.	Chief Financial Officer	Officer
Mesirow Financial Real Estate, Inc.	Royer, Randall S	Treasurer	Officer

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting	g this EDS. Include d/b/a/ if applicable:	
Mesirow Financial Real Estate Brokerage, Inc.		
Check ONE of the following three boxes:		
Indicate whether the Disclosing Party submitting  1. [] the Applicant  OR  2. [] a legal entity holding a direct or indirec  Applicant in which the Disclosing Party ho	t interest in the Applicant. State the legal name of the	
OR  3. [] a legal entity with a right of control (see which the Disclosing Party holds a right of co	e Section II.B.1.) State the legal name of the entity in ontrol:	
B. Business address of the Disclosing Party:	353 N. Clark Street	
	Chicago, Illinois 60654	
C. Telephone: 312-595-7801 Fax: 312-  D. Name of contact person: Dominic Adducci  E. Federal Employer Identification No. (if you have		
which this EDS pertains. (Include project number Approval of ordinance approving sale of afford	able units at 659 West Randolph to	
	<u>le rental residential units to income-eligible oli</u> ent	
G. Which City agency or department is requestir	ng this EDS? Department of Community Development	
If the Matter is a contract being handled by the complete the following:	e City's Department of Procurement Services, please	
Specification #	and Contract #	

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the	nature of the Disclosing Pa	irty:		
[] Person		[] Limited liability company		
[ ] Publicly registered business corporation [ A Privately held business corporation		[] Limited liability partnership [] Joint venture		
[] General partner	ship	(Is the not-for-profit corporation also a 501(c)(3))?		
[] Limited partners	ship	[] Yes [] No		
[] Trust		[] Other (please specify)		
2. For legal ent	tities, the state (or foreign o	country) of incorporation or organization, if applicable:		
_	tities not organized in the S e of Illinois as a foreign en	State of Illinois: Has the organization registered to do tity?		
[]Yes	[ ] No	[*] N/A		
B. IF THE DISCL	OSING PARTY IS A LEG	AL ENTITY:		
1 List below t	he full names and titles of s	all executive officers and all directors of the entity.		
		ist below all members, if any, which are legal entities. If		
		s." For trusts, estates or other similar entities, list below		
the legal titleholder				
_	• •	d partnership, limited liability company, limited liability		
		ne and title of each general partner, managing member,		
manager or any oth	er person or entity that con	trols the day-to-day management of the Disclosing Party.		
NOTE: Each legal	entity listed below must su	ibmit an EDS on its own behalf.		
Name		Title		
See attached				
	· · · · · · · · · · · · · · · · · · ·			

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

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

Name	Business Address	Percentage Interest in the
Mesirow Realty Ser	rvices, Inc. 353 N. Clark Street,	Disclosing Party Chicago, Illinois 60654 100% owner
SECTION III D	HOINESS DEL ATIONSHIDS V	VITH CITY ELECTED OFFICIALS
SECTION III D	USINESS RELATIONSHIPS V	VIII CIII ELECTED OFFICIALS
	9	hip," as defined in Chapter 2-156 of the Municipal before the date this EDS is signed?
[ ] <b>Y</b> es	[ <b>} N</b> o	•
If yes, please identificationship(s):	ify below the name(s) of such City	y elected ofticial(s) and describe such
	, , , , , , , , , , , , , , , , , , , ,	

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

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

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

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

retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	"hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary	·)		·
[] Check here if the Dis	closing Party h	as not retained, nor expects to r	etain, any such persons or entities.
SECTION V CERTI	FICATIONS		
A. COURT-ORDERED	CHILD SUPF	PORT COMPLIANCE	
<del>-</del>		-415, substantial owners of bus th their child support obligation	iness entities that contract with s throughout the contract's term.
<del>-</del> -	•	tly owns 10% or more of the Di ons by any Illinois court of com	
[] Yes [X] [X]		To person directly or indirectly of sclosing Party	wns 10% or more of the
If "Yes," has the person is the person in complia			ayment of all support owed and
[] Yes []	No		
B. FURTHER CERTIF	ICATIONS		
consult for defined term submitting this EDS is t certifies as follows: (i) r with, or has admitted gu criminal offense involving perjury, dishonesty or defined.	is (e.g., "doing he Applicant an neither the Applicant and the Application of, or has exing actual, atterneceit against an	ver been convicted of, or placed opted, or conspiracy to commit officer or employee of the City	nts), if the Disclosing Party ty, then the Disclosing Party n is currently indicted or charged under supervision for, any

Relafionship to Disclosing Party Fees (indicate whether

Name (indicate whether

Business

doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or enfifies idenfified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concem:
  - 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 Affihated Enfity (collectively "Agents").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7.	If the Disclosin	g Party is unable to	certify to any of	the above statements	in this Part B (Further
Certi	fications), the Dis	sclosing Party must	explain below:		
					7 7

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Di	sclosing Party certifies t	that the Disclosing Party (check one)
	Note:	Mesirow Financial Services, Inc., and
[] is	[X] is not	Mesirow Financial Holdings, Inc., affiliates of
2 3	( )	the Disclosing Party, are "financial institutions"
a "financial in	stitution" as defined in S	Section 2-32-455(b) of the Municipal Code.

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

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

If the Disclosing Pa	ty is unable to make this pledge because it or any of its af	filiates (as defined in
Section 2-32-455(b	of the Municipal Code) is a predatory lender within the m	leaning of Chapter
2-32 of the Munici	al Code, explain here (attach additional pages if necessary	y):
		,

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [x] No

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

elected official or any other person o for taxes or assess "City Property Sal	employee shall have a financial inter r entity in the purchase of any prope ments, or (iii) is sold by virtue of leg	e bidding, or otherwise permitted, no City rest in his or her own name or in the name of crty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain power ning of this Part D.
Does the Matter in	volve a City Property Sale?	
[]Yes	[] No	
	ked "Yes" to Item D.I., provide the yees having such interest and identif	names and business addresses of the City  y the nature of such interest:
Name	Business Address	Nature of Interest
be acquired by any E. CERTIFICATI  Please check ei disclose below or comply with these	City official or employee.  ON REGARDING SLAVERY ERA  ther 1. or 2. below. If the Disclosing in an attachment to this EDS all info	rohibited financial interest in the Matter will A BUSINESS g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Par from slavery or sla issued to slavehold	ty and any and all predecessor entiti eveholder insurance policies during	ing Party has searched any and all records of ies regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party h	as found records of investments or closing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ing constitutes full disclosure of all such 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 enfifies registered under the federal Lobbying
Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the
Disclosing Party with respect to the Matter)

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity heted 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, confinue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing	arty the Applicant?	
[] Yes	[ ] No	
If "Yes," answer	ne three questions below:	
1. Have you	eveloped and do you have on file affirmative action programs pursuant to a	pplicable
federal regulation	? (See 41 CFR Part 60-2.)	
[] Yes	[ ] No	
2. Have you f	led with the Joint Reporting Committee, the Director of the Office of Feder	ral
Contract Complia	ice Programs, or the Equal Employment Opportunity Commission all repor	ts due
	le filing requirements?	
[] Yes	[ ] No	
3. Have you j	articipated in any previous contracts or subcontracts subject to the	
equal opportunity	clause?	
[] Yes	[ ] No	
If you checked "N	o" to question 1. or 2. above, please provide an explanation:	
	•	

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

## **CERTIFICATION**

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

Mesirow Financial Real Estate Brokerage, Inc.
(Print or type name of Disclosing Party)
By: (Sign here)
(Print or type name of norsen signing)
(Print or type name of person signing)  CFO
Print or type title of person signing)
Signed and swom to before me on (date) October 8, 2010  at Chicago County, Illinois (state).
Jun Denanderly Notary Public.
Commission expires:
OFFICIAL SEAL LAURA D LEWANDOWSKI NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 11/18/12

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive 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] <b>N</b> o	
such person is comec	ted; (3) the name and title of the	e of such person, (2) the name of the legal entity to which he elected city official or department head to whom such e nature of such familial relationship.
·		

Entity Name	Manager Name	Title	Title Role
Mesirow Financial Real Estate Brokerage, Inc.	Paskvan, Kristie P.	Director	Director
Mesirow Financial Real Estate Brokerage, Inc.	Price, Richard S.	Director	Director
Mesirow Financial Real Estate Brokerage, Inc.	Tyree, James C.	Director	Director
Mesirow Financial Real Estate Brokerage, Inc.	Paskvan, Kristie P.	Chief Financial Officer/Treasurer	Officer
Mesirow Financial Real Estate Brokerage, Inc.	Lewandowski, Laura D	Assistant Secretary	Officer
Mesirow Financial Real Estate Brokerage, Inc.	Schreiber, Renee M	Assistant Secretary	Officer
Mesirow Financial Real Estate Brokerage, Inc.	Black, Dennis B.	Senior Managing Director and Secretary	Officer
Mesirow Financial Real Estate Brokerage, Inc.	Stein, Richard A	Chairman, CEO, Senior Managing Director	Officer

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting	ng this EDS. Include d/b/a/ if applicable:
Mesirow Realty Services, Inc.	
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submitting 1. [] the Applicant OR	g this EDS is:
2. [3] a legal entity holding a direct or indirect Apphrant in which the Disclosing Party holding OR	ct interest in the Applicant. State the legal name of the olds an interest: DAGS DesPlaines, LLC
3. [] a legal entity with a right of control (see which the Disclosing Party holds a right of c	ee Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	353 N. Clark Street
	Chicago, Illinois 60654
C. Telephone: 312-595-7801 Fax: 312  D. Name of contact person: Dominic Adducci  E. Federal Employer Identification No. (if you h	Email: dadducci@mesirowfinancial.com
F. Brief description of contract, transaction or o which this EDS pertains. (Include project numb	ther undertaking (referred to below as the "Matter") to er and location of property, if applicable):
Approval of ordinance approving sale of affordance not-for-profif organization providing affordance	dable units at 659 West Randolph to
G. Which City agency or department is requesti	ng this EDS? Department of Community Development
If the Matter is a contract being handled by the complete the following:	ne City's Department of Procurement Services, please
Specification #	and Contract #

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

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the	nature of the Disclosing Pa	rty:	
[] Person	·	[] Limited liability company	
[] Publicly register	ublicly registered business corporation [] Limited liability partnership		
[*] Privately held by	rivately held business corporation [] Joint venture		
[] Sole proprietors	hip	[ ] Not-for-profit corporation	
[] General partners	ship	(Is the not-for-profit corporation also a 501(c)(3))?	
[] Limited partners	hip	[] Yes [] No	
[] Trust		[] Other (please specify)	
2. For legal ent	ities, the state (or foreign c	country) of incorporation or organization, if applicable:	
	lfies not organized in the S e of Illinois as a foreign en	tate of Illinois: Has the organization registered to do tity?	
[]Yes	[ ] No	[3] N/A	
B. IF THE DISCLO	OSING PARTY IS A LEG	AL ENTITY:	
NOTE: For not-for there are no such m the legal fitleholder. If the entity is a g partnership or joint manager or any other	-profit corporations, also li embers, write "no member (s). general partnership, limited venture, list below the nan er person or entity that con	all executive officers and all directors of the entity. ist below all members, if any, which are legal entities. If s." For trusts, estates or other similar entities, list below I partnership, limited liability company, limited liability ne and title of each general partner, managing member, trols the day-to-day management of the Disclosing Party.	
NOTE: Each legal	entity listed below must su	bmit an EDS on its own behalf.	
Name See attached		Title	
2. Please provi	de the following information	on concerning each person or entity having a direct or	
<u>-</u> .	_	ip) in excess of 7.5% of the Disclosing Party. Examples	

of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

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

Name	Business Address	Percentage Interest in the
Mesirow Financial	Services, Inc. 353 N. Clark Street	Disclosing Party , Chicago, Illinois 60654 100% owner
		A section of the sect
SECTION III I	BUSINESS RELATIONSHIPS W	ITH CITY ELECTED OFFICIALS
	ing Party had a "business relationshity elected official in the 12 months b	ip," as defined in Chapter 2-156 of the Municipal pefore the date this EDS is signed?
[ ] <b>Y</b> es	[ } No	
If yes, please ident relationship(s):	tify below the name(s) of such City of	elected official(s) and describe such

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

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

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

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

retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)			·
[] Check here if the Disc	losing Party h	as not retained, nor expects to retair	1, any such persons or entifies.
SECTION V CERTIF	CATIONS		
A. COURT-ORDERED	CHILD SUPP	ORT COMPLIANCE	
•		-415, substantial owners of business th their child support obligations thr	
	•	tly owns 10% or more of the Disclosons by any Illinois court of compete	- ·
[] Yes		lo person directly or indirectly owns sclosing Party.	10% or more of the
If "Yes," has the person e is the person in complian		court-approved agreement for paym greement?	ent of all support owed and
[] Yes [] N	o		
B. FURTHER CERTIFIC	CATIONS		
consult for defined terms submitting this EDS is th certifies as follows: (i) no with, or has admitted guid criminal offense involvin	(e.g., "doing e Applicant are the Applicant are the Applicant of, or has ever actual, attentions."	apter 1-23, Article I ("Article I")(who business") and legal requirements), and is doing business with the City, the licant nor any controlling person is ver been convicted of, or placed und apted, or conspiracy to commit bribus officer or employee of the City or a	if the Disclosing Party hen the Disclosing Party currently indicted or charged er supervision for, any ery, theft, fraud, forgery,

Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or enfifies identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust stamtes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not hmited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affihated 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affihated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party	is unable to ce	ertify to any of the	e above statement	s in this Part B (Further	
Certifications), the Disclosing Party must explain below:					
		· · · · · · · · · · · · · · · · · · ·			
		· · · · · · · · · · · · · · · · · · ·			

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)				
	1	ote: Mesirow Financial Services, Inc., and		
[] is	[X] is not	Mesirow Financial Holdings, Inc., affiliates of		
	[]	the Disclosing Party, are "financial institutions"		

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

If the Disclosing Par	y is unable to make this ple	edge because it or any of	its affiliates (as define	d in		
ection 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter						
2-32 of the Municipal Code, explain here (attach additional pages if necessary):						
		,	<b>,</b> , .			
·-····································			·			
		· · ·	·			

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

#### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [X] No

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

elected official or any other person of for taxes or assess "City Property Sa	employee shall have a financial interport entity in the purchase of any propesments, or (iii) is sold by virtue of leg	e bidding, or otherwise permitted, no City rest in his or her own name or in the name of city that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain power ting of this Part D.
Does the Matter is	nvolve a City Property Sale?	
[]Yes	[] No	
	eked "Yes" to Item D.I., provide the yees having such interest and identif	names and business addresses of the City y the nature of such interest:
Name	Business Address	Nature of Interest
	-	
	osing Party further certifies that no p y City official or employee.	rohibited financial interest in the Matter will
E. CERTIFICATI	ON REGARDING SLAVERY ERA	BUSINESS
disclose below or comply with these	in an attachment to this EDS all info	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Pa from slavery or sl issued to slavehol	rty and any and all predecessor entiti aveholder insurance policies during	ing Party has searched any and all records of es regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party policies. The Dis	has found records of investments or p closing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ing constitutes full disclosure of all such laveholders 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

Disclosure Act of 1995 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 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 apphrable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing I	Party the Applicant?	
[]Yes	[ ] No	
If "Yes," answer t	he three questions below	
1. Have you d	eveloped and do you hav	ve on file affirmative action programs pursuant to applicable
federal regulations	s? (See 41 CFR Part 60-	2.)
[] Yes	[ ] No	
2. Have you f	iled with the Joint Repor	ting Committee, the Director of the Office of Federal
Contract Complian	<u>-</u>	ual Employment Opportunity Commission all reports due
[] Yes	[] No	
3. Have you p equal opportunity	•	ous contracts or subcontracts subject to the
[] Yes	[ ] No	
If you checked "N	o" to question 1. or 2. at	pove, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affihated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide tmthful certifications.

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

#### **CERTIFICATION**

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

MEGIRON REALTY SERVICES, INC
(Print or type name of Disclosing Party)
By: (Sign here)
KAISTIE PASKYAN
(Print or type name of person signing)
(Print or type title of person signing) SOLE MEMBER OF MESIROW FINANCIAL SERVICES, INC.  THE SOLE MEMBER OF THE DISCLOSING
Signed and sworn to before me on (date) November 30, 20,00,
at July County, Illinois (state).
Notary Public.
Commission expires: OFFICIAL SEAL LAURA D LEWANDOWSKI

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "famihal relationship" with any elected city official or department head. A "famihal 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.

"Apphcable 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 hability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

IXI No

[ ] Vec

[ ] I CS	_ []140	•	
such person is connec	• • • • • • • • • • • • • • • • • • • •	e elected city officia	the name of the legal entity to which al or department head to whom such ilial relationship.

Entity Name	Manager Name	Title	Title Role
Mesirow Realty Services, Inc.	Paskvan, Kristie P.	Director	Director
Mesirow Realty Services, Inc.	Price, Richard S.	Director	Director
Mesirow Realty Sen/ices, Inc.	Tyree, James C.	Director	Director
Mesirow Realty Services, Inc.	Cotien, Garry W.	President	Officer
Mesirow Realty Services, Inc.	Paskvan, Kristie P.	Chief Financial Officer/Treasurer	Officer
Mesirow Realty Services, Inc.	Helmetag, Ctıristian	Senior Vice President	Officer
Mesirow Realty Services, Inc.	Lewandowski, Laura D	Assistant Secretary	Officer
Mesirow Realty Services, Inc.	Schreiber, Renee M	Assistant Secretary	Officer
Mesirow Realty Services, Inc.	Black, Dennis B.	Secretary	Officer

# 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:
Mesirow Financial Services, Inc.
Check ONE of the following three boxes:
Indicate whether the Disclosing Party submitting this EDS is:  1. [] the Applicant  OR  2. [1 a local artity holding a direct or indirect interest in the Applicant. State the local name of the
2. [3] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: DAGS Desplaines, LLC  OR
3. [] a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control:
B. Business address of the Disclosing Party:  353 N. Ciark Street
Chicago, Illinois 60654
C. Telephone: 312-595-7801 Fax: 312-595-7830 Email: dadducci@mesirowfinancial.com
D. Name of contact person: Dominic Adducci
E. Federal Employer Identification No. (if you have one):
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):
Approval of ordinance approving sale of affordable units at 659 West Randolph to not-for-profit organization providing affordable rental residential units to income-eligible olients
G. Which City agency or department is requesting this EDS? Department of Community Development
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 Pa	arty:				
[] Person	[] Limited liability company				
[ ] Publicly registered business corporation	[] Limited liability partnership				
[4] 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)				
2. For legal entities, the state (or foreign of	country) of incorporation or organization, if applicable:				
Illinois					
	<del></del>				
3. For legal entities not organized in the S	State of Illinois: Has the organization registered to do				
business in the State of Illinois as a foreign en	itity?				
[] Yes [] No	[*] N/A				
[]103	[3,14,1,				
B. IF THE DISCLOSING PARTY IS A LEG	GAL ENTITY:				
	all executive officers and all directors of the entity.				
there are no such members, write "no member	ist below all members, if any, which are legal entities. If rs." For trusts, estates or other similar entities, hst below				
the legal titleholder(s).					
partnership or joiht venture, list below the nam	d partnership, limited liability company, limited liability ne and title of each general partner, managing member,				
	atrols the day-to-day management of the Disclosing Party.				
NOTE: Each legal entity listed below must su	iomit an EDS on its own benail.				
Name	Title				
See attached					

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

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

Percentage Interest in the

Business Address

Name

				Dis	closing Pa	rtv		
ldings, Inc.	353 N.	Clark	Street,				100%	ownership
			•					
	<del> </del>	<del>.</del>			<del></del>			
SINESS REI	LATIO	NSHI	PS WIT	H CITY	ELECTE	D OFF	ICIAI	LS
		_						
g Party had a '	"busines	s relat	ionship,	" as defin	ed in Cha	pter 2-1	56 of t	he Municipa
g Party had a ' elected officia			_			-		he Municipa
elected officia			_			-		he Municipa
•			_			-		he Municipa
elected officia	ıl in the	12 mo	onths bei	fore the d	ate this EL	S is sig	ned?	
elected officia	ıl in the	12 mo	onths bei	fore the d	ate this EL	S is sig	ned?	
								SINESS RELATIONSHIPS WITH CITY ELECTED OFFICIAI

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

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

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

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

retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessar	ry)		
[] Check here if the D	isclosing Party ha	as not retained, nor expects to r	etain, any such persons or entifies.
SECTION V CER	rifications		
A. COURT-ORDERE	D CHILD SUPP	ORT COMPLIANCE	
•			iness entities that contract with s throughout the contract's term.
• <b>•</b>	•	ly owns 10% or more of the Dions by any Illinois court of com	•
[] Yes [X		o person directly or indirectly osclosing Party.	owns 10% or more of the
If "Yes," has the person is the person in compl			ayment of all support owed and
[] Yes [	] No		·
B. FURTHER CERT	IFICATIONS		
consult for defined ter submitting this EDS is certifies as follows: (i) with, or has admitted a criminal offense involutional perjury, dishonesty or	ms (e.g., "doing lest the Applicant and neither the Applicant and neither the Applicant of, or has evoing actual, attendeceit against and	rer been convicted of, or placed opted, or conspiracy to commit officer or employee of the City	nts), if the Disclosing Party ty, then the Disclosing Party n is currently indicted or charged under supervision for, any

Relationship to Disclosing Party Fees (indicate whether

Name (indicate whether

Business

doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affihated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

[ $_{x}$ ] is [ $_{1}$  is not Note: Mesirow Financial Services, Inc., and Mesirow Financial Holdings, Inc., affiliated entities, are "financial institutions" a "financial institutions" as defined in Section 2-32-455(b) of the Municipal Code.

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

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

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

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

#### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [A] No

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

elected official or any other person of for taxes or assess "City Property Sal	employee shall have a financial inter or entity in the purchase of any prope ments, or (iii) is sold by virtue of leg	e bidding, or otherwise permitted, no City rest in his or her own name or in the name of city that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain power thing of this Part D.
Does the Matter in	avolve a City Property Sale?	
[]Yes	[ ] No	
~	ked "Yes" to Item D.I., provide the yees having such interest and identif	names and business addresses of the City y the nature of such interest:
Name	Business Address	Nature of Interest
		<u>.</u>
	osing Party further certifies that no p y City official or employee.	rohibited financial interest in the Matter will
E. CERTIFICATI	ON REGARDING SLAVERY ERA	BUSINESS
disclose below or comply with these	in an attachment to this EDS all info	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Par from slavery or slaves issued to slavehold	ty and any and all predecessor entiti aveholder insurance policies during	ing Party has searched any and all records of es regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party h policies. The Disc records, including	has found records of investments or pelosing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ing constitutes full disclosure of all such laveholders described in those records:

#### SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

#### A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party w 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 "Nor appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entiregistered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of Disclosing Party with respect to the Matter.)	ties			

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing l	Party the Applicant?	
[]Yes	[ ] No	
If "Yes," answer t	the three questions below:	
1. Have you o	leveloped and do you have	on file affirmative action programs pursuant to applicable
federal regulation	s? (See 41 CFR Part 60-2.)	
[] Yes	[ ] No	·
2. Have you f	iled with the Joint Reportin	g Committee, the Director of the Office of Federal
Contract Complia	nce Programs, or the Equal	Employment Opportunity Commission all reports due
under the applicat	ole filing requirements?	
[]Yes	[ ] No	
3. Have you p	participated in any previous	contracts or subcontracts subject to the
equal opportunity	clause?	
[] Yes	[ ] No	
If you checked "N	o" to question 1. or 2. abov	ve, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affihated Entifies will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

#### **CERTIFICATION**

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

Mesirow Financial Services, Inc.
(Print or type name of Disclosing Party)
By: Sign here)
Kristie P. Paskvan  (Print or type name of person signing)
CFO
(Print or type title of person signing)
Signed and sworn to before me on (date) October 8, 2010
at Chicago County, Illinois (state).
John D. Swenlooch Notary Public.
Commission expireofficial seal  LAURA D LEWANDOWSKI  NOTARY PUBLIC - STATE OF ILLINOIS  MY COMMISSION EXPIRES:11/18/12

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

[ ] Yes	[x] No	
such person is conne	cted; (3) the name and title of t	le of such person, (2) the name of the legal entity to which he elected city official or department head to whom such the nature of such familial relationship.

Entity Name	Manager Name	Title	Title Role
Mesirow Financial Services, Inc.	Paskvan, Kristie P.	Director	Director
Mesirow Financial Services, Inc.	Price, Richard S.	Director	Director
Mesirow Financial Services, Inc.	Tyree, James C.	Director	Director
Mesirow Financial Services, Inc.	Tyree, James C.	Chairman & CEO	Officer
Mesirow Financial Services, Inc.	Price, Richard S.	President	Officer
Mesirow Financial Services, Inc.	Paskvan, Kristie P.	Chief Financial Officer/Treasurer	Officer
Mesirow Financial Services, Inc.	Galuhn, Thomas E.	Senior Managing Director	Officer
Mesirow Financial Services, Inc.	Howell, Daniel P	Senior Managing Director	Officer
Mesirow Financial Services, Inc.	Sacks, Marc E	Senior Managing Director	Officer
Mesirow Financial Services, Inc.	Barrett, Michael J	Managing Director	Officer
Mesirow Financial Services, Inc.	Helmetag, Christian	Senior Vice President	Officer
Mesirow Financial Services, Inc.	Lewandowski, Laura D	Assistant Secretary	Officer
Mesirow Financial Services, Inc.	Schreiber, Renee M	Assistant Secretary	Officer
Mesirow Financial Services, Inc.	Black, Dennis B.	Senior Managing Director and Secretary	Officer

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting Mesirow Financial Holdings, Inc.	ng this EDS. Include d/b/a/ if applicable:	
Check ONE of the following three boxes:		
Indicate whether the Disclosing Party submitting 1. [] the Applicant OR	g this EDS is:	
	ct interest in the Applicant. State the legal name of the olds an interest: DAGS DesPlaines, LLC	
3. [] a legal entity with a right of control (see which the Disclosing Party holds a right of control (see which the Disclosing Party holds are seen as a seed which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see which the Disclosing Party holds are seen as a see	control:	
B. Business address of the Disclosing Party:	353 N. Clark Street	
·	Chicago, Illinois 60654	
	-595-7830 Email: dadducci@mesirowfinancial.com	
D. Name of contact person: Dominic Adducci		
E. Federal Employer Identification No. (if you h	nave one):	
F. Brief description of contract, transaction or o which this EDS pertains. (Include project numb	ther undertaking (referred to below as the "Matter") to per and location of property, if applicable):	
Approval of ordinance approving sale of afford	dable units at 659 West Randolph to ble rental residential nnits to income-eligible clients	
G. Which City agency or department is requesti	ing this EDS? Depertment of Community Development	
If the Matter is a contract being handled by the complete the following:	ne City's Department of Procurement Services, please	
Specification #	Specification # and Contract #	

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	rty:
[] Person	[ ] 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)
2. For legal entities, the state (or foreign c	country) of incorporation or organization, if applicable:
Delaware	<u> </u>
business in the State of Illinois as a foreign en  [x] Yes  [] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
	all executive officers and all directors of the entity.
	ist below all members, if any, which are legal entities. If
	s." For trusts, estates or other similar entities, list below
the legal titleholder(s).	I mante analysis of the last the little and the last the desired at the little of the last th
	I partnership, limited liability cpmpany, limited liability ne and title of each general partner, managing member,
	trols the day-to-day management of the Disclosing Party.
NOTE: Each legal entity listed below must su	
100 1 D. Daen legal chirty listed below must su	omit an EDS on its own ochair.
Name See attached	Title
See accadined	
	·

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

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

Percentage Interest in the

**Business Address** 

Name

	Disclosing Party
Mesi	row Financial Holdings, Inc. is a privately held company. The only shareholder
of t	he company that owns in excess of 7.5% of the company is James C. Tyree.
	•
SECTION	III BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS
	Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal any City elected official in the 12 months before the date this EDS is signed?
[] <b>Y</b> es	[ } No
If yes, plea relationshi	use identify below the name(s) of such City elected official(s) and describe such p(s):
<del>-</del> .	

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

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

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

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

Name (indicate whether 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.
	·		
(Add sheets if necessary	)		
[] Check here if the Dis	closing Party h	as not retained, nor expects to retain	n, any such persons or entities
SECTION V CERTI	FICATIONS		
A. COURT-ORDERED	CHILD SUP	PORT COMPLIANCE	
=		2-415, substantial owners of business the their child support obligations the	
		tly owns 10% or more of the Disclo ons by any Illinois court of compete	
[] Yes [X] ]		No person directly or indirectly owns isclosing Party.	s 10% or more of the
If "Yes," has the person is the person in complian		court-approved agreement for paym greement?	nent of all support owed and
[]Yes []]	No		
B. FURTHER CERTIF	ICATIONS		
consult for defined term submitting this EDS is the certifies as follows: (i) re with, or has admitted gu	s (e.g., "doing he Applicant a leither the App ilt of, or has e	apter 1-23, Article I ("Article I")(who business") and legal requirements), and is doing business with the City, to blicant nor any controlling person is wer been convicted of, or placed under the property of the commit brib	if the Disclosing Party hen the Disclosing Party currently indicted or charged ler supervision for, any

perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or enfities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - 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 Enfity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affihated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

Note: Mesirow Financial Services, Inc., and
Mesirow Financial Holdings, Inc., affiliated entities,
are "financial institutions"

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

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

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

#### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [\*] No

NOTE: If you checked "Yes" to Item D.I., proceed to Items D.2. and D.3. If you checked "No" to Item D.I., 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		
-	es" to Item D.I., provide the ving such interest and identif	names and business addresses of the City fy the nature of such interest:	
Name	Business Address	Nature of Interest	
· · · · · · · · · · · · · · · · · · ·		·	
4. The Disclosing P be acquired by any City of	-	prohibited financial interest in the Matter will	
E. CERTIFICATION RE	EGARDING SLAVERY ERA	A BUSINESS	
disclose below or in an a	ttachment to this EDS all info sure requirements may make	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in	
the Disclosing Party and from slavery or slavehold	any and all predecessor entificter insurance policies during at provided coverage for dam	ing Party has searched any and all records of ies regarding records of investments or profits the slavery era (including insurance policies hage to or injury or death of their slaves), and	
Disclosing Party has four policies. The Disclosing	nd records of investments or Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ving constitutes full disclosure of all such 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

Disclosure Act of 1995 who have made lobbying contacts on behalf of the respect to the Matter: (Add sheets if necessary):	, ,
· · · · · · · · · · · · · · · · · · ·	, .
(If no explanation appears or begins on the lines above, or if the letters "Nappear, it will be conclusively presumed that the Disclosing Party means the registered under the Lobbying Disclosure Act of 1995 have made lobbying Disclosing Party with respect to the Matter.)	nat 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 of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing P	rty the Applicant?
[] Yes	[ ] No
If "Yes," answer th	e three questions below:
1. Have you de	veloped and do you have on file affirmative action programs pursuant to applical
federal regulations	(See 41 CFR Part 60-2.)
[] Yes	[ ] No
2. Have you fi	ed with the Joint Reporting Committee, the Director of the Office of Federal
=	ce Programs, or the Equal Employment Opportunity Commission all reports due
	e filing requirements?
[] Yes	[ ] No
3. Have you pa	rticipated in any previous contracts or subcontracts subject to the lause?
[] Yes	[ ] No
If you checked "No	" to question 1. or 2. above, please provide an explanation:
	1 <sup>10</sup> 11 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affihated Enfifies delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affihated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

# **CERTIFICATION**

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

Mesirow Financial Holdings, Inc.
(Print or type name of Disclosing Party)
By: (Sign here)
(Sign here)
Kristie P. Paskvan
(Print or type name of person signing)
CFO
(Print or type title of person signing)
Signed and sworn to before me on (date) October 8, 2010
at _Chicago County,Illinois (state).
Jura I Juanwolsh Notary Public.
OFFICIAL SEAL  Commission expires:  LAURA D LEWANDOWSKI  NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:11/18/12

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "famihal 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 parmer 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.

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

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

[ ] <b>Y</b> es	[*] <b>N</b> o	
such person is comed	• • • • • • • • • • • • • • • • • • • •	th person, (2) the name of the legal entity to which ed city official or department head to whom such of such familial relationship.
		· · ·
<del></del>		

Entity Name	Manager Name	Title
Mesirow Financial Holdings, Inc.	Galuhn, Thomas E.	Director
Mesirow Financial Holdings, Inc.	Golman, Jeffrey A	Director
Mesirow Financial Holdings, Inc.	Hannenberg, Ruth C	Director
Mesirow Financial Holdings, Inc.	Kaplan, Martin B	Director
Mesirow Financial Holdings, Inc.	Levin, Gerald	Director
Mesirow Financial Holdings, Inc.	Price, Richard S.	Director
Mesirow Financial Holdings, Inc.	Rossman, Howard	Director
Mesirow Financial Holdings, Inc.	Sacks, Marc E	Director
Mesirow Financial Holdings, Inc.	Tuliano, Ralph S.	Director
Mesirow Financial Holdings, Inc.	Tyree, James C.	Director
Mesirow Financial Holdings, Inc.	Vander Weele, Julie	Director
Mesirow Financial Holdings, Inc.	Vogt, Stephen C	Director
Mesirow Financial Holdings, Inc.	Young, Bruce J.	Director
Mesirow Financial Holdings, Inc.	Tyree, James C.	Chairman & CEO
Mesirow Financial Holdings, Inc.	Mesirow, Richard S	Vice Chairman
Mesirow Financial Holdings, Inc.	Galuhn, Thomas E.	Senior Managing Directors
Mesirow Financial Holdings, Inc.	Hannenberg, Ruth C	Senior Managing Director
Mesirow Financial Holdings, Inc.	Kaplan, Martin B	Senior Managing Director
Mesirow Financial Holdings, Inc.	Levin, Gerald	Senior Managing Director
Mesirow Financial Holdings, Inc.	Morris, Lawrence P	Senior Managing Director
Mesirow Financial Holdings, Inc.	Sacks, Marc E	Senior Managing Director
Mesirow Financial Holdings, Inc.	Szkatulski, Michael	Senior Managing Director
Mesirow Financial Holdings, Inc.	Tuliano, Ralph S.	Senior Managing Director
Mesirow Financial Holdings, Inc.	Vander Weele, Julie	Senior Managing Director
Mesirow Financial Holdings, Inc.	Vogt, Stephen C	Senior Managing Director
Mesirow Financial Holdings, Inc.	Lewandowski, Laura D	Assistant Secretary
Mesirow Financial Holdings, Inc.	Schreiber, Renee M	Assistant Secretary
Mesirow Financial Holdings, Inc.	Black, Dennis B.	General Counsel, Senior Managing Director and Secretary
Mesirow Financial Holdings, Inc.	Golman, Jeffrey A	Vice Chairman, Senior Managing Director
Mesirow Financial Holdings, Inc.	Paskvan, Kristie P.	Treasurer, Chief Financial Officer, Senior Managing Director
Mesirow Financial Holdings, Inc.	Price, Richard S.	Vice Chairman, President, Chief Operating Officer
Mesirow Financial Holdings, Inc.	Rossman, Howard	Vice Chairman, Senior Managing Director
Mesirow Financial Holdings, Inc.	Young, Bruce J.	Vice Chairman, Senior Managing Director

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting	ng this EDS. Include d/b/a/ if applicable:
Check ONE of the following three boxes:	
	ct interest in the Applicant. State the legal name of the
Applicant in which the Disclosing Party hook  OR  3. [] a legal entity with a right of control (so which the Disclosing Party holds a right of control).	ee Section II.B.1.) State the legal name of the entity in
B. Business address of the Disclosing Party:	CHICAGO, IL 60611
C. Telephone: 312-267-4190 Fax: 312-  D. Name of contact person: SOPHIA STRATTON	
E. Federal Employer Identification No. (if you h	•
which this EDS pertains. (Include project numb	ORDABLE UNITS AT 659 W. RANDOLPH TO NOT-FOR-PROFIT
G. Which City agency or department is request	ing this EDS? DEPARTMENT OF COMMUNITY DEVELOPMENT
If the Matter is a contract being handled by the complete the following:	he City's Department of Procurement Services, please
Specification #	and Contract #

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
[ ] 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)
3. For legal entities not organized in the S	State of Illinois: Has the organization registered to do
business in the State of Illinois as a foreign en	itity?
[ ] Yes [x] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	GAL ENTITY:
NOTE: For not-for-profit corporations, also I there are no such members, write "no member the legal titleholder(s).  If the entity is a general partnership, limited partnership or joint venture, list below the nar	all executive officers and all directors of the entity. List below all members, if any, which are legal entities. If rs." For trusts, estates or other similar entities, list below d partnership, limited liability company, limited liability me and title of each general partner, managing member, atrols the day-to-day management of the Disclosing Party. The about the term of the Disclosing Party. The about the Disclosing Party. The about the Disclosing Party the Disclosing Party. The about the Disclosing Party t
Name LEVY MR MANAGER, LLC	Title manager

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

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

Name

Business Address

Percentage Interest in the
Disclosing Party

LEVY FAMILY PARTNERS, LLC, 444 N. MICHIGAN AVENUE #3500, CHICAGO, IL 60611, 24.2858%

MICHAEL P. KRASNY REV. TRUST, 1622 WILLOW ROAD #200, NORTHFIELD, IL 60093, 12.5%

EDWARD L. KAPLAN REV. INS. TRUST, 333 CORPORATE WOODS PKWY, VERNON HILLS, IL 60062, 23.9286%

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

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

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

X No

[ ] Yes

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

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

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

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

retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
			•
(Add sheets if necessary	r) ·	÷	
[] Check here if the Dis	closing Party h	as not retained, nor expects to retair	ı, any such persons or entities.
SECTION V CERTI	FICATIONS	-	
A. COURT-ORDERED	CHILD SUPF	PORT COMPLIANCE	
<del>-</del>		-415, substantial owners of busines th their child support obligations thr	
· ·	-	tly owns 10% or more of the Discloons by any Illinois court of compete	
[ ] Yes [x]	~ -	To person directly or indirectly owns sclosing Party.	; 10% or more of the
If "Yes," has the person is the person in complia		court-approved agreement for paymgreement?	ent of all support owed and
[]Yes []	No		
B. FURTHER CERTIF	CICATIONS		
consult for defined term submitting this EDS is to certifies as follows: (i) with, or has admitted gu- criminal offense involved	ns (e.g., "doing the Applicant a neither the Applicant a pilt of, or has eving actual, atter	apter 1-23, Article I ("Article I")(who business") and legal requirements), and is doing business with the City, the discant nor any controlling person is wer been convicted of, or placed under a present the completed, or conspiracy to commit bribation officer or employee of the City or a	if the Disclosing Party hen the Disclosing Party currently indicted or charged ler supervision for, any ery, theft, fraud, forgery,

Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affihated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affihated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disc	losing Party is unable to cer	tify to any of the above s	tatements in this Part B (Further
Certifications), th	e Disclosing Party must exp	lain below:	•
	<u>-</u>		
			140 - 140 -

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. T	The Disclosin	g Party	certifies	that the	Disclosing	Party	(check	one)
------	---------------	---------	-----------	----------	------------	-------	--------	------

[] is [x] is not.

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

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

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [x] No

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

elected official or e any other person or for taxes or assesss "City Property Sale	employee shall have a financial inte entity in the purchase of any prope ments, or (iii) is sold by virtue of leg	re bidding, or otherwise permitted, no City crest in his or her own name or in the name of certy that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain power ning of this Part D.
Does the Matter in	volve a City Property Sale?	
[]Yes	[]No	
-	ted "Yes" to Item D.I., provide the ees having such interest and identif	names and business addresses of the City fy the nature of such interest:
Name	Business Address	Nature of Interest
be acquired by any	sing Party further certifies that no p City official or employee. ON REGARDING SLAVERY ERA	prohibited financial interest in the Matter will A BUSINESS
disclose below or comply with these	n an attachment to this EDS all inf	ng Party checks 2., the Disclosing Party must formation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Par from slavery or sla issued to slavehold	ty and any and all predecessor entit veholder insurance policies during	sing Party has searched any and all records of ties regarding records of investments or profits the slavery era (including insurance policies mage to or injury or death of their slaves), and
Disclosing Party h	as found records of investments or closing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance wing constitutes full disclosure of all such 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 VIL For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

#### A. CERTIFICATION REGARDING LOBBYING

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

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing P	arty the Applicant?		
[] Yes	[ ] No	N/A	•
If "Yes," answer th	he three questions b	elow:	
1. Have you d	eveloped and do yo	u have on file affirmative action programs pursuant to app	olicable
federal regulations	? (See 41 CFR Par	t 60-2.)	
[]Yes	[ ] No		
2. Have you fi	iled with the Joint R	eporting Committee, the Director of the Office of Federal	l
Contract Complian	nce Programs, or the	Equal Employment Opportunity Commission all reports	
under the applicab	le filing requiremen	its?	
[]Yes	[ ] No	,	
3. Have you p	articipated in any p	revious contracts or subcontracts subject to the	
equal opportunity	clause?		
[] Yes	[ ] No		
If you checked "N	o" to question 1. or	2. above, please provide an explanation:	
			<del></del>

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the appheable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or dechning to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities dehnquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affihated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide tmthful certifications.

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

# **CERTIFICATION**

LEAV MD THATCHOOL

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

BEVI MR INVESTORS, EBC
(Print or type name of Disclosing Party)
By: State Stratter (Sign/here)
SOPHIA STRATTON
(Print or type name of person signing) MANAGER OF LEVY FAMILY PARTNERS, LLC, AS MANAGING MEMBER OF LEVY MR MANAGER, LLC
AS MANAGER OF LEVY MR INVESTORS, LLC
(Print or type title of person signing)
Signed and sworn to before me on (date) 10/15/2010, at 100 County, 5thmus (state).  Notary Public.
Commission expires: MARINEL M CAHILL MY COMMISSION FXPIRES  AND 4 2014

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

[ ] <b>Y</b> es	[x] <b>N</b> o	
such person is connec	cted; (3) the name and title of the	e of such person, (2) the name of the legal entity to which he elected city official or department head to whom such e nature of such familial relafionship.

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitti	ing this EDS.	Include d/b/a/ if applicable:
Check ONE of the following three boxes:		
Indicate whether the Disclosing Party submittin  1. [] the Applicant  OR	ng this EDS is:	
2. [] a legal entity holding a direct or indirect Applicant in which the Disclosing Party holding OR		the Applicant. State the legal name of the st:
3. [x] a legal entity with a right of control (s which the Disclosing Party holds a right of		
B. Business address of the Disclosing Party:	444 N. MICHI	GAN AVENUE, SUITE 3500
· · · · · · · · · · · · · · · · ·	CHICAGO, IL	60611
C. Telephone: 312-267-4190 Fax: 312-  D. Name of contact person: SOPHIA STRATTON		
E. Federal Employer Identification No. (if you		
F. Brief description of contract, transaction or of which this EDS pertains. (Include project num approval of ordinance authorizing sale of afforganization providing affordable rental resistance.)	ber and location or DABLE UNITS	on of property, if applicable): AT 659 W. RANDOLPH TO NOT-FOR-PROFIT
G. Which City agency or department is request	ting this EDS?	DEPARTMENT OF COMMUNITY DEVELOPMENT
If the Matter is a contract being handled by t complete the following:	the City's Dep	artment of Procurement Services, please
Specification #	and Conti	ract #

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

<ol> <li>Indicate the nature of the Disclosing Par</li> <li>Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Trust</li> </ol>	[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)
	ountry) of incorporation or organization, if applicable:
DELAWARE	<u> </u>
business in the State of Illinois as a foreign ent	
[] Yes [x] No	[ ] N/A
B. IF THE DISCLOSING PARTY IS A LEG.	AL ENTITY:
NOTE: For not-for-profit corporations, also li there are no such members, write "no members the legal titleholder(s). If the entity is a general partnership, limited	Ill executive officers and all directors of the entity. st below all members, if any, which are legal entities. If s." For trusts, estates or other similar entities, list below a partnership, limited liability company, limited liability are and title of each general partner, managing member,
	trols the day-to-day management of the Disclosing Party.
•	
Name	Title
LEVY FAMILY PARTNERS, LLC	MANAGING MEMBER
	-

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

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

Percentage Interest in the

**Business Address** 

Name

	Disclosing Party
LEVY FAMILY PARTN	ERS, LLC, 444 N. MICHIGAN #3500, CHICAGO, IL 60611, 100%
SECTION III I	BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS
	ing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal
Code, with any Ci	ty elected official in the 12 months before the date this EDS is signed?
C 3 37	
[ ] <b>Y</b> es	[x] No
If was please ident	tify below the name(s) of such City elected official(s) and describe such
relationship(s):	iny below the name(s) of such City elected official(s) and describe such
relationship(s).	
	· · · · · · · · · · · · · · · · · · ·

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

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

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

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

retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)	· !		
[] Check here if the Disc	losing Party h	as not retained, nor expects to retain	a, any such persons or entities
SECTION V CERTIN	FICATIONS		
A. COURT-ORDERED	CHILD SUPF	PORT COMPLIANCE	
		-415, substantial owners of busines th their child support obligations thr	
· -	· ·	tly owns 10% or more of the Disclo ons by any Illinois court of compete	-
[] Yes [x] N		To person directly or indirectly owns isclosing Party.	s 10% or more of the
If "Yes," has the person is the person in complian		court-approved agreement for paymgreement?	ent of all support owed and
[]Yes []N	10		
B. FURTHER CERTIFI	CATIONS		,
consult for defined terms submitting this EDS is the certifies as follows: (i) no with, or has admitted gui- criminal offense involving	s (e.g., "doing ne Applicant a either the App ilt of, or has ev ng acmal, atter	apter 1-23, Article I ("Article I")(who business") and legal requirements), and is doing business with the City, the licant nor any controlling person is wer been convicted of, or placed und apted, or conspiracy to commit bribat officer or employee of the City or a	if the Disclosing Party hen the Disclosing Party currently indicted or charged er supervision for, any ery, theft, fraud, forgery,

Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year-period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instimted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affihated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

 $\begin{bmatrix} \end{bmatrix}$  is  $\begin{bmatrix} x \end{bmatrix}$  is not

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

If the Disclosing Party is unable to make this pleage because it or any of its attitiates (as defined in	1
Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter	
2-32 of the Municipal Code, explain here (attach additional pages if necessary):	
<u> </u>	

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

#### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [x] No

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

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.				
Does the Matter in	volve a City Property Sale?			
[]Yes	[ ] No			
	ked "Yes" to Item D.I., provide the names and business addresses of the City yees having such interest and identify the nature of such interest:			
Name	Business Address Nature of Interest			
	·			
	osing Party further certifies that no prohibited financial interest in the Matter will y City official or employee.			
E. CERTIFICATI	ON REGARDING SLAVERY ERA BUSINESS			
disclose below or comply with these	ther 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must in an attachment to this EDS all information required by paragraph 2. Failure to disclosure requirements may make any contract entered into with the City in the Matter voidable by the City.			
the Disclosing Par from slavery or sl issued to slavehol	osing Party verifies that the Disclosing Party has searched any and all records of try and any and all predecessor entities regarding records of investments or profits aveholder insurance policies during the slavery era (including insurance policies ders that provided coverage for damage to or injury or death of their slaves), and try has found no such records.			
Disclosing Party I policies. The Dis	osing Party verifies that, as a result of conducting the search in step 1 above, the has found records of investments or profits from slavery or slaveholder insurance closing Party verifies that the following constitutes full disclosure of all such 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
Disc	sure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with
respe	t to the Matter: (Add sheets if necessary):
	N/A
	, , , , , , , , , , , , , , , , , , , ,
(If n	explanation appears or hegins on the lines above or if the letters "NA" or if the word "None"

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing P	arty the Applicant?		
[] Yes	[ ] No	N/A	
If "Yes," answer th	e three questions be	elow:	
federal regulations	? (See 41 CFR Part	u have on file affirmative action programs pursuant to app t 60-2.)	licable
[] Yes	[ ] No		
Contract Complian under the applicable	ce Programs, or the	Reporting Committee, the Director of the Office of Federal Equal Employment Opportunity Commission all reports onts?	
[] Yes	[ ] No		
3. Have you pa		revious contracts or subcontracts subject to the	
[]Yes	[ ] No		
If you checked "No	o" to question 1. or	2. above, please provide an explanation:	

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding ehgibihty must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affihated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

#### **CERTIFICATION**

LEVY MR MANAGER, LLC

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

(Print or type name of Disclosing Party)
By: Signhere) (Signhere)
SOPHIA STRATTON '
(Print or type name of person signing)
MANAGER, LEVY FAMILY PARTNERS, LLC AS MANAGING MEMBER OF LEVY MR MANAGER, LLC
(Print or type title of person signing)
Signed and sworn to before me on (date) 10/15/2010,
at <u>COCK</u> County, <u>Thino, S</u> (state).
Motary Public.
Commission expires: MARINEL M CAHNLL OFFICIAL MY COMMISSION EXPIRES

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

No No

f 1 Yes

[ ]	[70]				
such person is connec	ify below (1) the name and ted; (3) the name and title relationship, and (4) the property of t	of the elected	city official or	department head	•

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting	ng this EDS. Include d/b/a/ if applicable:
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submitting 1. [] the Applicant OR	g this EDS is:
<ol> <li>[x] a legal entity holding a direct or indirect         Applicant in which the Disclosing Party holding         OR     </li> </ol>	ct interest in the Applicant. State the legal name of the olds an interest: DAGS DESPLAINES, LLC
	ee Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	444 N. MICHIGAN AVENUE, SUITE 3500
2. 2 domeso address or the 2 locationing raisty.	CHICAGO, IL 60611
C. Telephone: 312-267-4190 Fax: 312-2  D. Name of contact person: SOPHIA STRATTON	Email: SSTRATTON@LEVYFAMILYPARTNERS.CO
E. Federal Employer Identification No. (if you h	ave one): 20-0174793
which this EDS pertains. (Include project numb	RDABLE UNITS AT 659 W. RANDOLPH TO NOT-FOR-PROFIT
G. Which City agency or department is requesting	ng this EDS? DEPARTMENT OF COMMUNITY DEVELOPMENT
If the Matter is a contract being handled by the complete the following:	ne City's Department of Procurement Services, please
Specification #	and Contract #

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY

<ol> <li>Indicate the nature of the Disclosing Par</li> <li>Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Trust</li> </ol>	ty:  [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 co	ountry) of incorporation or organization, if applicable:
3. For legal entities not organized in the St business in the State of Illinois as a foreign ent	ate of Illinois: Has the organization registered to do ity?
[x] Yes [] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEGA	AL ENTITY:
NOTE: For not-for-profit corporations, also list there are no such members, write "no members the legal titieholder(s).  If the entity is a general partnership, limited partnership or joint venture, list below the name	Il executive officers and all directors of the entity. It below all members, if any, which are legal entities. If It is: For trusts, estates or other similar entities, list below  partnership, limited liability company, limited liability  e and title of each general partner, managing member,  rols the day-to-day management of the Disclosing Party.  comit an EDS on its own behalf.
Name	Title
LAWRENCE F. LEVY	MANAGER
STEVEN FLORSHEIM	MANAGER
ARI LEVY	MANAGER
SOPHIA STRATTON	MANAGER

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

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

Name

Business Address

Percentage Interest in the
Disclosing Party

LAWRENCE F. LEVY, 444 N. MICHIGAN #3500, CHICAGO, IL 60611, 41%

STEVEN FLORSHEIM, 444 N. MICHIGAN #3500, CHICAGO, IL 60611, 14.75%

ANDREW FLORSHEIM, 444 N. MICHIGAN #3500, CHICAGO, IL 60611, 14.75%

ROBERT FLORSHEIM, 444 N. MICHIGAN #3500, CHICAGO, IL 60611, 14.75%

ARI LEVY, 444 N. MICHIGAN #3500, CHICAGO, IL 60611, 14.75%

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

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

[ ] Yes [x] No

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

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

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

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

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

retained or anticipate to be retained)		(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if neces	sary)		
[x] Check here if the	Disclosing Party h	nas not retained, nor expects to retain	n, any such persons or entities
SECTION V CE	RTIFICATIONS		·
A. COURT-ORDER	RED CHILD SUP	PORT COMPLIANCE	
<del>-</del>		2-415, substantial owners of busines ith their child support obligations the	
• •	-	etly owns 10% or more of the Disclo ions by any Illinois court of compete	_
[]Yes		No person directly or indirectly own isclosing Party.	s 10% or more of the
If "Yes," has the per is the person in com		court-approved agreement for payngreement?	nent of all support owed and
[] Yes	[ ] No	•	
B. FURTHER CER	TIFICATIONS		
consult for defined to submitting this EDS certifies as follows: with, or has admitte	terms (e.g., "doing is the Applicant a (i) neither the App d guilt of, or has e	napter 1-23, Article I ("Article I")(we business") and legal requirements), and is doing business with the City, to plicant nor any controlling person is ver been convicted of, or placed under the conspiracy to commit briteria.	if the Disclosing Party then the Disclosing Party currently indicted or charged der supervision for, any

Page 4 of 13

perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concem:
  - 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 Enfity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affihated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affihated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

[] is [X] is not

- a "financial instimtion" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

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

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes [X] No

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

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.					
Does the Matter involve a City Property Sale?					
[] Yes	[ ] No				
•	Yes" to Item D.1., provide the aving such interest and identif	names and business addresses of the City fy the nature of such interest:			
Name	Business Address	Nature of Interest			
E. CERTIFICATION F  Please check either I disclose below or in an comply with these disc connection with the Ma  x 1. The Disclosing the Disclosing Party an from slavery or slaveho issued to slaveholders the Disclosing Party has  2. The Disclosing Disclosing Party has fo policies. The Disclosing records, including the records	REGARDING SLAVERY ERALL or 2. below. If the Disclosing attachment to this EDS all infollosure requirements may make atter voidable by the City.  Reparty verifies that the Disclosed any and all predecessor entite older insurance policies during that provided coverage for damps and so found no such records.  Reparty verifies that, as a result ound records of investments or any Party verifies that the following Pa	A BUSINESS  g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in ing Party has searched any and all records of ites regarding records of investments or profits the slavery era (including insurance policies hage to or injury or death of their slaves), and of conducting the search in step 1 above, the profits from slavery or slaveholder insurance wing constitutes full disclosure of all such slaveholders described in those records:			
<del></del>					
		·			

### 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 Loobying					
Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with					
respect to the Matter: (Add sheets if	necessary):				
N/A					
•	•				
(16 1 1 :	(1 1' 1 (C41 - 1-44 UNTAU (C41 4 UNT U				

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing P	arty the Applicant?		
[] Yes	[ ] No	n/a	
If "Yes," answer th	ne three questions b	elow:	
•	eveloped and do yo ? (See 41 CFR Par [] No	u have on file affirmative action programs pursuant to applicate to 60-2.)	ıble
Contract Complian		Reporting Committee, the Director of the Office of Federal e Equal Employment Opportunity Commission all reports duents?	;
3. Have you p equal opportunity		revious contracts or subcontracts subject to the	
If you checked "N	o" to question 1. or	2. above, please provide an explanation:	
		·	
•			

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide trnthful certifications.

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

### **CERTIFICATION**

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

LEVY FAMILY PARTNERS, LLC
(Print or type name of Disclosing Party)
By: Shphia Steatton
(Sign here)
SOPHIA STRATTON
(Print or type name of person signing)
MANAGER
(Print or type title of person signing)
Signed and sworn to before me on (date) 10/15/2010
at County, Manual (state).  Notary Public.
Commission expires:  MARINEL M CAHILL OFFICIAL MY COMMISSION EXPIRES MAY 4, 2014

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

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

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

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

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

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

[ ] Yes	[X] <b>N</b> o			
such person is connec	fy below (1) the name and titie ted; (3) the name and title of the elationship, and (4) the precise	e elected city office	cial or department head	
		•		
			The second second	
			W (	

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

### SECTION I - GENERAL INFORMATION

A. Legal name of the Disclosing Party submitti	ng this EDS. Include d/b/a/ if applicable:  hsurance Trust U/A/D 7/19/83
Lunoi o Z. rapore Nerocaon 3	10000000 7,000 071178 77117,000
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submittin l. [] the Applicant OR	ng this EDS is:
2. (X) a legal entity holding a direct or indirect Apphicant in which the Disclosing Party holding	ect interest in the Applicant. State the legal name of the colds an interest:
3. [] a legal entity with a right of control (s which the Disclosing Party holds a right of	ee Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	25 Lakewood Place
	Highbord Park , IZ 60035
C. Telephone: <u>847 205 2332</u> Fax: <u>74</u>	7 205-2291 Email: e Kaplan @ zebra, com
D. Name of contact person: Edward Kapp	lan
E. Federal Employer Identification No. (if you	have one):
	bether undertaking (referred to below as the "Matter") to ber and location of property, if applicable):  The transfer of affordable whits at USA West was providing affordable renial residential
G. Which City agency or department is request	ting this EDS? Community DeWelopment
If the Matter is a contract being handled by to complete the following:	the City's Department of Procurement Services, please
Specification #	and Contract #

Page 1 of 13

Ver. 09-01-10

### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

<ol> <li>Indicate the nature of the Disclosing</li> <li>Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Trust</li> </ol>	Party:  [] Limited liability company  [] Limited liability partnership  [] Joint venture  [] Not-for-profit corporation  (Is the not-for-protit corporation also a 501(c)(3))?  [] Yes  [] No  [] 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 business in the State of Illinois as a foreign of	State of Illinois: Has the organization registered to do entity?
[] Yes [] No	M/A
B. IF THE DISCLOSING PARTY IS A LE	GAL ENTITY:
NOTE: For not-for-profit corporations, also there are no such members, write "no memb the legal titleholder(s).  If the entity is a general partnership, limit partnership or joint venture, list below the name of the partnership or joint venture, list below the name of the partnership or joint venture.	f all executive ofticers and all directors of the entity. Is list below all members, if any, which are legal entities. If ers." For trusts, estates or other similar entities, list below and partnership, limited liability company, limited liability ame and title of each general partner, managing member, ontrols the day-to-day management of the Disclosing Party. Submit an EDS on its own behalf.
Name Edward L. Kaplan	Title TRusree
	· · · · · · · · · · · · · · · · · · ·

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

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

Name	Business Address	Percentage Interest in the	
t		Disclosing Party	
Edward Kaplan	25 Lakewood Pl.	100% - sole	e beneficiary
	25 Lakewood Pl. Highland Part, IL		J
SECTION III BUSIN	ESS RELATIONSHIPS WIT	H CITY ELECTED OF	FICIALS
	rty had a "business relationship, ted official in the 12 months bef	_	
[] <b>Y</b> es	₩ No		
If yes, please identify bel relationship(s):	ow the name(s) of such City ele	cted official(s) and descri	ibe such
SECTION IV DISCI	OSHDE OF SHECONTEACT	TODS AND OTHER DE	דאוואפה סאטיופס

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

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

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

Name (indicate whether 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.
(Add sheets if necessary	) .		
Check here if the Disc	closing Party h	as not retained, nor expects to retain	n, any such persons or entities
SECTION V CERTI	FICATIONS		
A. COURT-ORDERED	CHILD SUPF	PORT COMPLIANCE	
_		-415, substantial owners of business th their child support obligations thr	**
- <del>-</del>	•	tly owns 10% or more of the Disclosons by any Illinois court of compete	
[] Yes ()] 1	No []N	No person directly or indirectly owns sclosing Party.	10% or more of the
If "Yes," has the person is the person in complian		court-approved agreement for paym greement?	ent of all support owed and
[]Yes []I	No		
B. FURTHER CERTIF	ICATIONS		,
1. Pursuant to Muni	cipal Code Ch	apter 1-23, Article I ("Article I")(wh	nich the Applicant should

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

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrnst statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or enfity 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 facilifies 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

[] is X is not

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

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

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[] Yes \( \sqrt{1}\) No

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

elected official or any other person of for taxes or assess "City Property Sal	employee shall have a financial inte or entity in the purchase of any prope ments, or (iii) is sold by virtue of leg	rest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain power ning of this Part D.
Does the Matter in	avolve a City Property Sale?	
[] Yes	[ ] No	
	ked "Yes" to Item D.1., provide the yees having such interest and identif	names and business addresses of the City  Ty the nature of such interest:
Name	Business Address	Nature of Interest
be acquired by any	y City official or employee.	rohibited financial interest in the Matter will
E. CERTIFICATI	ON REGARDING SLAVERY ERA	BUSINESS
disclose below or comply with these	in an attachment to this EDS all info	g Party checks 2., the Disclosing Party must ormation required by paragraph 2. Failure to any contract entered into with the City in
the Disclosing Par from slavery or sl issued to slavehol	ty and any and all predecessor entiti aveholder insurance policies during	ing Party has searched any and all records of ies regarding records of investments or profits the slavery era (including insurance policies age to or injury or death of their slaves), and
Disclosing Party I policies. The Dis	has found records of investments or closing Party verifies that the follow	of conducting the search in step 1 above, the profits from slavery or slaveholder insurance ring constitutes full disclosure of all such 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

Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):		

List below the names of all persons or entities registered under the federal Lobbying

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing P	arty the Applicant?	
[] Yes	[ ] No	
If "Yes," answer th	ne three questions below:	
	eveloped and do you have on file aftirm? (See 41 CFR Part 60-2.) [] No	native action programs pursuant to applicable
Contract Complian	led with the Joint Reporting Committeence Programs, or the Equal Employment le filing requirements? [] No	e, the Director of the Office of Federal t Opportunity Commission all reports due
3. Have you po equal opportunity of [] Yes	articipated in any previous contracts or clause? [] No	subcontracts subject to the
If you checked "No	o" to question 1. or 2. above, please pro	ovide an explanation:
SECTION VII	ACKNOWLEDGMENTS CONTD.	ACT INCODPODATION

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide tmthful certifications.

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

### **CERTIFICATION**

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

Edward L. Kaplan Revocable Insur	ance TRUST U/A/D	7/19/83
(Print or type name of Disclosing Party)	•	, , , -
By: Salwan of L. Kanton (Sign here)		
EDWARD L. KAPLAN		
(Print or type name of person signing)		
TRUSTEE		
(Print or type title of person signing)		
Signed and sworn to before me on (date) 10/28/2010 at Lake County, TLINOTS (state).	•	
Commission expires: 06/08/2013	"OFFICIAL SEAL" Alina Mironova Notary Public, State of Illinois Lake County	<b>{</b>
	My Commission Expires 06/08/2	1013

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

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

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

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

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

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

### **SECTION I -- GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting. The Thresholds	ng this EDS. Incl	ude d/b/a/ if applicable:
Check ONE of the following three boxes:		_
Indicate whether the Disclosing Party submitting  1.  OR	g this EDS is:	
2. [] a legal entity holding a direct or indirect Applicant in which the Disclosing Party holding OR	i i	• • • • • • • • • • • • • • • • • • • •
3. [] a legal entity with a right of control (see which the Disclosing Party holds).	•	State the legal name of the entity in
B. Business address of the Disclosing Party:	4101 N Ravens	swood Ave
	Chicago, IL 60	0613
773- 572-5500 773-5 C. Telephone:Fax:	72-5290	tzipple@thresholds.org
D. Name of contact person:  Anthony M. Zipple		
E. Federal Employer Idéntification No. (if you h	FFIN 3	- 6-2518901 
F. Brief description of contract, transaction or o which this EDS pertains. (Include project numb	~	
Legislative modification on 19 condo units	s located at 659	9 West Randolph, Chicago IL.
G. Which City agency or department is requesti	ng this EDS?	artment of Community and Development
If the Matter is a contract being handled by the complete the following:	ne City's Departm	ent of Procurement Services, please
Specification # N.A	and Contract	N.A #

### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing P	artv:
Person	[] 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	₄ ✓Yes []No
[] Trust	[] Other (please specify)
•	N.A
2. For legal entities, the state (or foreign	country) of incorporation or organization, if applicable:
State of Illinois	
3. For legal entities not organized in the susiness in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do ntity?
[] Yes [] No	✓ N/A
B. IF THE DISCLOSING PARTY IS A LEG	GAL ENTITY:
	all executive officers and all directors of the entity.  list below all members, if any, which are legal entities. If
	rs.", For trusts, estates or other similar entities, list below
the legal titleholder(s).	
	d partnership, limited liability company, limited liability
	me and title of each general partner, managing member, ntrols the day-to-day management of the Disclosing Party.
NOTE: Each legal entity listed below must so	-
Name	Title
Mr. Anthony M Zipple, Chief Executive Officer	
For remaining executive officers and board of directors ref	er the Attached A
The Thresholds has no members which are legal entities	

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

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

Percentage Interest in the

Business Address

Name

		Disclosing Party
None	·	
SECTION III F	BUSINESS RELATION	NSHIPS WITH CITY ELECTED OFFICIALS
	•	s relationship," as defined in Chapter 2-156 of the Municipal 12 months before the date this EDS is signed?
✓Yes	[ ] <b>N</b> o	
relationship(s):	•	f such City elected official(s) and describe such of Administration) is a Director on the Disclosing Parties Board of Directors.
A non- influence / recus	al certification letter has been c	obtained by Lt Murphy and is included as an attachment.

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

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

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

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

Name (indicate whether 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.
			1
			· · · · · · · · · · · · · · · · · · ·
(Add sheets if necessary)			,
Check here if the Disc	losing Party h	as not retained, nor expects to retain	n, any such persons or entities
SECTION V CERTIF	FICATIONS	٠	
A. COURT-ORDERED	CHILD SUPF	PORT COMPLIANCE	
-		2-415, substantial owners of busines the their child support obligations the	
-	•	tly owns 10% or more of the Disclo ons by any Illinois court of compete	
[]Yes []N		No person directiy or indirectly ownsisclosing Party.	s 10% or more of the
If "Yes," has the person e is the person in compliance		court-approved agreement for paym greement?	nent of all support owed and
[]Yes []N	O		
B. FURTHER CERTIFIC	CATIONS		
consult for defined terms submitting this EDS is the certifies as follows: (i) ne with, or has admitted guil	(e.g., "doing e Applicant ar either the App It of, or has ev	apter 1-23, Article I ("Article I")(who business") and legal requirements), and is doing business with the City, the licant nor any controlling person is ver been convicted of, or placed under the property of the commit brib	if the Disclosing Party hen the Disclosing Party currently indicted or charged ler supervision for, any

perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclos	ing Party is unable to ce	rtify to any of the a	bove statements i	n this Part B (Further
Certifications), the Disclosing Party must explain below:				
×				

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

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

C. CERTIFICATION OF STATOS ASTINANCIAE INSTITUTION
1. The Disclosing Party certifies that the Disclosing Party (check one)
[] is  is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."
If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):  N.A.
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS
Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.
<ol> <li>In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?         <ul> <li>Yes</li> <li>No</li> </ul> </li> </ol>
NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to

Item D.1., proceed to Part E.

elected official or employee shall have a tinancial 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 Vo		
3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:		
Name Business Address Nature of Interest N.A		
4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.  E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS  Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.  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 I 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:  NA		

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City

### 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

I. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with	
N.A	·
•	explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" r, it will be conclusively presumed that the Disclosing Party means that NO persons or entities

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. 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 Disclosin	g Party the Applicant?
<b>√</b> Yes	[ ] No
If "Yes," answe	er the three questions below:
•	u developed and do you have on file affirmative action programs pursuant to applicable ons? (See 41 CFR Part 60-2.)
✓ Yes	[] No
Contract Comp	u filed with the Joint Reporting Committee, the Director of the Office of Federal liance Programs, or the Equal Employment Opportunity Commission all reports due cable filing requirements?  [] No
3 Have yo equal opportuni	u participated in any previous contracts or subcontracts subject to the ity clause?  [] No
If you checked	"No" to question 1. or 2. above, please provide an explanation:
	: ACKNOWLEDGMENTS, CONTRACT INCORPORATION, CE, PENALTIES, DISCLOSURE
The Disclosing	Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

- F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

### **CERTIFICATION**

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

Thresholds
(Print or type name of Disclosing Party)
By: (Sign here)
Anthony M. Zipple
(Print or type name of person signing)
CEO
(Print or type title of person signing)
Signed and sworn to before me on (date) September 17, 2010 at COOK County, The (state).  Notary Public.
Commission expires: 12-15-2012

Official Seal Kathy A Kerney Notary Public State of Illinois My Commission Expires 12/15/2012

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

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

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

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

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive 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			
such person is conne	ntify below (1) the name and exted; (3) the name and title or relationship, and (4) the pre-	of the elected city offi	icial or department head	•
N.A				

### The Thresholds - Attachment A: Schedule of Officers and Board of Directors

### Officers:

CAHILL, Ryan D.

Office: Evanston Capital Management, LLC

President

1560 Sherman Ave., Suite 960

Evanston, IL 60201

(847) 563-5259/328-4976 (fax) Email: rcahill@evanstoncap.com

SZKATULSKI, Michael

Office: Mesirow Stein Development Services

Vice-President

Managing Director 353 N. Clark Street Chicago, IL 60654

(312) 595-7860/7830 (Fax)

Email: mszkatulski@mesirowfinancial.com

JOSEPHS, Jeff

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Treasurer

71 South Wacker Drive, Suite 4600

Chicago, IL 60606

(312) 577-2650/2619 (Fax) Email: <u>ilosephs@divfin.com</u>

ARONS, Rand E.

Home: 3499 Old Mill Road

Secretary

Highland Park, IL 60035-1009 (847) 432-9955

Email: randearons@aol.com

FAIRBANKS, Esq., William

Office: Hamilton Thies Lorch & Hagnell LLP

200 S. Wacker Drive Suite 3800

Chicago, IL 60606 312-650-8630

Email: Fairbanks@htlhlaw.com

### **DIRECTORS**

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(Becky)

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(Jennifer)

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Highland Park, IL 60035-1009

(847) 432-9955

Email: randearons@aol.com

BARBE, Jana Cohen

(Roy)

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Willis Tower - 78<sup>th</sup> Floor

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ibarbe@sonnenschein.com

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(312)223-9885/(Fax) 708-406-1604 Email: <u>r.barbosa@barbosalaw.com</u>

BERGHOLZ, John

(Katherine "Katy")

Office: Independent Consultant

Contact Information same as below

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(Melanie Domer)

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(847) 864-4502

Email: sbottum@boundlessreaders.org

BROWN, Roger O.

(Barbara)

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225 West Washington St., Suite 1650

Chicago, IL 60606

(312) 849-4545/368-9015(Fax) Email: roger@igbrown.com CAHILL, Ryan D.

(Laurie)

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Email: <a href="mailto:ldsankofail@aol.com">ldsankofail@aol.com</a>

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(Michael)

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(Randy)

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(Marilynn)

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(Nora)

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Managing Director

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(Stephen)

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(Henry)

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(Marge)

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(Richard)

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(Wendy)

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**Health Management Associates** 

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(Dave)

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Relationship Manager/Vice-President

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Email: crhode@vedderprice.com

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(Douglas Stewart) 124 Madison Street - P.O. Box 997

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SZKATULSKI, Michael

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(Laura)

are to a

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Email: mszkatulski@mesirowfinancial.com

WHYBROW, Christopher J.

Office: Senior Vice President

(Cynthia)

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### NON INFLUENCE / RECUSAL CERTIFICATION

I Jeff Murphy certify that I did not and will not participate in the contract selection, negotiation and award processes for any contract or amendment between the City of Chicago and The Thresholds. Furthermore, I certify that I have hot participated and will not participate on behalf of the City of Chicago or on behalf of The Thresholds, in the administration of those contracts or amendments or any matters relating to those contracts or amendments.

Signed:

Jeff Murphy

Dated: April 30, 2009

Attested

Name:\_X