

City of Chicago



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Office of the City Clerk

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Sponsor(s):

Mayor

Type:

Ordinance

Title:

Loan modification agreement for Wrightwood Senior

Apartments

Committee(s) Assignment:

Committee on Finance



OFFICE OF THE MAYOR CITY OF CHICAGO

RICHARD M. DALEY

January 13, 2011

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

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith an ordinance authorizing the execution of a loan modification agreement for Wrightwood Senior Apartments.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

ORDINANCE

WHEREAS, the City of Chicago (the "City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, has heretofore found and does hereby find that there exists within the City a serious shortage of decent, safe and sanitary rental housing available to persons of low and moderate income; and

WHEREAS, the City has determined that the continuance of a shortage of rental housing affordable to persons of low and moderate income is harmful to the health, prosperity, economic stability and general welfare of the City; and

WHEREAS, the City has certain funds available from a variety of funding sources ("Multi-Family Program Funds") to make loans and grants for the development of multi-family residential housing to increase the number of families served with decent, safe, sanitary and affordable housing and to expand the long-term supply of affordable housing, and such Multi-Family Program Funds are administered by the City's Department of Housing and Economic Development ("HED"); and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City of Chicago (the "City Council") on October 3, 2001, and published at pages 67675 through 67685 in the Journal of Proceedings of the City Council (the "Journal") of such date, a certain redevelopment plan and project (the "Redevelopment Plan") for the 79th Street/Southwest Highway Redevelopment Project Area (the "Redevelopment Area") was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11 74.4 1 et seq.) (the "TIF Act"); and

WHEREAS, pursuant to an ordinance adopted by the City Council on October 3, 2001, and published at pages 67786 through 67794 in the Journal of such date, the Redevelopment Area was designated as a redevelopment project area pursuant to the TIF Act; and

WHEREAS, pursuant to an ordinance (the "TIF Ordinance") adopted by the City Council on October 3, 2001, and published at pages 67795 through 67806 in the Journal of such date, tax increment allocation financing was adopted pursuant to the TIF Act as a means of financing certain redevelopment project costs (as defined in the TIF Act) in the Redevelopment Area incurred pursuant to the Redevelopment Plan; and

WHEREAS, the Project (as hereinafter defined) is located in the Redevelopment Area; and

WHEREAS, the City Council enacted an ordinance on June 3, 2009, and published at pages 63093 to 63156 in the Journal of such date (the "Original Ordinance") which authorized (i) the provision of Multi-Family Program Funds to 79th Street Limited Partnership, an Illinois limited partnership (the "Borrower"), for the acquisition of land and construction of a building and parking facilities generally located at 2815 West 79th Street and 2751-2757 West 79th Street, in Chicago, Illinois (the "Property") for approximately 9 market-rate residential dwelling units and approximately 76 residential dwelling units contained therein as studio, one-, and two-bedroom units for low- and moderate-income families and of certain common areas (the "Project"), (ii) the

designation of the Borrower and 79th Street Development LLC, an Illinois limited liability company ("79th Street Development", and together with the Borrower, the "Developer"), as the developer for the Project, and (iii) the negotiation, execution and delivery on behalf of the City of a redevelopment agreement with the Developer for provision of tax increment funds for the Project; and

WHEREAS, pursuant to the Original Ordinance, the City made a loan in the amount of \$5,887,767 (the "Loan") to the Borrower, on August 25, 2009, with an interest rate of zero (0%) percent per annum, and secured by, among other things, that certain Junior Mortgage, Assignment of Rents and Security Agreement dated August 25, 2009, made by the Borrower in favor of the City (the "Mortgage") (the Mortgage together with the other documents evidencing and securing the Loan are hereinafter referred to as the "Loan Documents"); and

WHEREAS, pursuant to the Original Ordinance, the City and the Developer entered into that certain Wrightwood Senior Apartments Redevelopment Agreement dated as of August 25, 2009 (the "Redevelopment Agreement") for the provision of City Funds (as defined in the Redevelopment Agreement) not to exceed \$2,950,000 for the Project; and

WHEREAS, the Project has been completed; and

WHEREAS, the general partners of the Borrower are NHS Wrightwood, Inc., an Illinois corporation (the sole owner of which is NHS Redevelopment Corporation, an Illinois not-for-profit corporation) and 79th Street Development, the sole member of which is 3 Diamond Development LLC, an Illinois limited liability company ("3 Diamond"); and

WHEREAS, at the time of the making of the Loan, the members of 3 Diamond were Ben Klein, Neal Stein and David Porush, as individuals; and

WHEREAS, Neal Stein has relinquished his ownership interest in 3 Diamond (the "Change in Ownership"), and HED wishes to release Neal Stein from his obligations under the Loan Documents and the Redevelopment Agreement, and

WHEREAS, HED has approved a restructuring of the Loan in a manner which (1) will not alter the principal amount of the Loan, (2) will not alter the interest rate on the principal balance of the Loan, (3) will not extend the maturity date of the Loan (items one through three herein referred to as the "Material Terms"), and (4) will consent to the release of Neal Stein from his obligations under the Loan Documents and the Redevelopment Agreement (collectively, the "Restructuring"); now, therefore,

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

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The Change in Ownership is hereby ratified, confirmed and approved.

SECTION 3. The Restructuring is hereby approved as described above. The Acting Commissioner of HED (the "Commissioner") or a designee of the Commissioner (each, an "Authorized Officer") are each hereby authorized, subject to approval by the Corporation Counsel, to negotiate any and all terms and provisions in connection with the Loan and the Redevelopment Agreement which do not substantially modify the terms of the Restructuring as described herein. Each Authorized Officer is hereby authorized, subject to approval by the Corporation Counsel, to enter into and execute such agreements and instruments, and perform any and all acts as shall be necessary or advisable in connection with any future restructuring of the Loan which does not substantially modify the Material Terms.

SECTION 4. Notwithstanding anything to the contrary contained in the Municipal Code of Chicago (the "Municipal Code") or any other ordinance or mayoral executive order, no parties other than the owner of the Property as of the date following the date of the closing of the Restructuring (the "Owner"), any legal entities which are direct owners in excess of 7.5% of the Owner which changed in connection with the Restructuring, and all legal entities who constitute the direct or indirect controlling parties of the Owner (as determined by the Corporation Counsel), shall be required to provide to the City the document commonly known as the "Economic Disclosure Statement and Affidavit" (or any successor to such document) in connection with the Restructuring.

SECTION 5. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance shall be effective as of the date of its passage and approval.

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitt	ing this EDS. Include d/b/a/ if applicable:
79th Street Limited Partnership	· · · · · · · · · · · · · · · · · · ·
Check ONE of the following three boxes:	·
Indicate whether the Disclosing Party submittin 1. [X] the Applicant OR	ng this EDS is:
2. [] a legal entity holding a direct or indirect	ect interest in the Applicant. State the legal name of the nolds an interest:
	see Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	7444 N. Long Avenue Skokie, Iihnois 60077
C. Telephone: 847.675.6666 x 1028 Fax: 847.3	Email: dporush@mtsconsulting.com
D. Name of contact person: David Porush	
E. Federal Employer Identification No. (if you	have one):
which this EDS pertains. (Include project num Removal of Neal Stein from ownership of 79th Street Limit	other undertaking (referred to below as the "Matter") to aber and location of property, if applicable): sed Partnership, the owner owner of Wrightwood Senior Apartments project, 28 velopment which was financed with a HOME loan and a TIF grant
G. Which City agency or department is reques	ting this EDS? Department of Housing and Economic Development
If the Matter is a contract being handled by complete the following:	the City's Department 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 Pa	•
PersonPublicly registered business corporation	[] Limited liability company [] 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))?
[X] Limited partnership	[] Yes [] No
[] Trust	[] Other (please specify)
2. For legal entities, the state (or foreign of Illinois	country) of incorporation or organization, if applicable:
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	[x] N/A
B. IF THE DISCLOSING PARTY IS A LEG	SAL ENTITY:
1. List below the full names and titles of	all executive officers and all directors of the entity.
NOTE: For not-for-profit corporations, also l	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).	
	d partnership, limited liability company, limited liability ne and title of each general partner, managing member,
	itrols the day-to-day management of the Disclosing Party.
NOTE: Each legal entity listed below must su	
Name .	Title
79th Street Development LLC	Managing General Partner
NHS Wrightwood Inc	Co-General Partner

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

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

Name	Business Address	Percentage Interest in the Disclosing Party
NHS Wrightwood Inc.	1279 Milwaukee, Chicago	0.0051%
79th Street Development LLC	7444 N. Long Avenue, Skokie	0.0049%
RJHOF 8-79th Street LLC	880 Carillon Parkway, St. Petersburg, PL	99.99%

SECTION HI -- 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 ident relationship(s):	tify below the name(s) o	of such City elected official(s) and describe such
N/A		· · · · · · · · · · · · · · · · · · ·

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, 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
Fred Teitelbaum Construction	5526 N. Kedzie	General Contractor	not an acceptable response. \$14,167,391 (paid)
Cubellis (now NORR Illinois)	325 N. LaSalle #70	0 Architect	\$556,000 (paid)
Lighten-Gale Group	203 N. Wabash, #6	08 Financial Consultant	\$225,000 (paid)
Applegate & Thome-Thomsen	322 S. Green St, #4	100 Attomey	\$219,253 (paid)

(Add sheets if necessary)

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

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

[]Yes []No

B. FURTHER CERTIFICATIONS

I. 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 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			art B (Further			
Certifications), the Disclosing Party must explain below:						
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.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

i.	The Disclosing Party	certifies	that the	Disclosing	Party (check of	one)
гъ	e [V] ie no	nt.		•		

a "financial institution" as defined in Section 2-32-455(h) 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.

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 inte or entity in the purchase of any prope ements, 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 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 powering of this Part D.
Does the Matter is	nvolve 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 fy the nature of such interest:
Name	Business Address	Nature of Interest
	osing Party further certifies that no py City official or employee.	prohibited financial interest in the Matter will
E. CERTIFICATI	ON REGARDING SLAVERY ERA	ABUSINESS
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 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	nas 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 ring constitutes full disclosure of all such slaveholders described in those records:
<u>.</u>		

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
Discl	osure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with
respe	ct to the Matter: (Add sheets if necessary):
No	ne

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

is the	Disclosing Party the	Applicant?
[X] ·	Yes	[] No
If "Ye	s," answer the three	questions below:
federa	Have you developed l regulations? (See 4 Yes	and do you have on file affirmative action programs pursuant to applicable 1 CFR Part 60-2.) [] No
Contra	act Compliance Prog the applicable filing	the Joint Reporting Committee, the Director of the Office of Federal rams, or the Equal Employment Opportunity Commission all reports due requirements? [] No
-	Have you participat opportunity clause? Yes	ed in any previous contracts or subcontracts subject to the [X] No
If you	checked "No" to que	estion 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 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.

79th Street Limited Partnership	
(Print or type name of Disclosing Party)	·
By: 79th Street Development LLC, its general partner	
By: (Sign here)	
Dnyld Porush	
(Print or type name of person signing)	-
Manager	
(Print or type title of person signing)	-
Signed and sworn to before me on (date) Date at Cook County, Illinois	ecember 14, 2010 (state).
Manageret M Jenneci	Notary Pubhc.
Commission expires: 2-5-2012	OFFICIAL SEAL MARGARET M TINUCCI NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:02/05/12

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

[] Yes	[X] N o	
such person is connec	ted; (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.

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:
	ect interest in the Applicant. State the legal name of the holds an interest: 79th Street Limited Partnership
	ee Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	7444 N. Long Avenue Skokie, Ohnois 60077
C. Telephone: 847.675.6666 x 1028 Fax: 847.3	29.4900 Email: dporush@mtsconsulting.com
D. Name of contact person: David Porush	
E. Federal Employer Identification No. (if you	have one):
which this EDS pertains. (Include project num Removal of Neal Stein from ownership of 79th Street Limite	other undertaking (referred to below as the "Matter") to ber and location of property, if applicable): ed Partnership, the owner owner of Wrightwood Senior Apartments project, 28 relopment which was financed with a HOME loan and a TIF grant
G. Which City agency or department is request	ting this EDS? Department of Housing and Economic Development
If the Matter is a contract being handled by t complete the following:	the City's Department of Procurement Services, please
Specification # N/A	and Contract # N/A

.SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

David Porush	Manager
3 Diamond Development, LLC	Sole member
Name 	Title
the legal titleholder(s). If the entity is a general partnership, limite partnership or joint venture, list below the nar	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.
	GAL ENTITY: all executive officers and all directors of the entity. list below all members, if any, which are legal entities. If
[] Yes [] No	[x] N/A
	State of Illinois: Has the organization registered to dontity?
2. For legal entities, the state (or foreign of Illinois	country) of incorporation or organization, if applicable:
 Indicate the nature of the Disclosing Page 1 Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership Limited partnership Trust 	 [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. 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.

	Dusiness Address	Disclosing Party
3 Diamond Development, LLC	7444 N. Long Avenue, Skokie	100%
·	·	
<u>. </u>		
SECTION HI BUSINI	ESS RELATIONSHIPS WITH	CITY ELECTED OFFICIALS
_	y had a "business relationship," a d official in the 12 months before	as defined in Chapter 2-156 of the Municipal e the date this EDS is signed?
[] Yes	[x] N o	
If yes, please identify belorelationship(s):	w the name(s) of such City electe	ed official(s) and describe such
N/A		

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, 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.
N/A			——————————————————————————————————————
(Add sheets if necessary)		,	
[X] Check here if the Disc	losing Party h	as not retained, nor expects to retain	i, any such persons or entities.
SECTION V CERTIF	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 Disclosons by any Illinois court of competer	
[] Yes [] N		No 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	•	
D CHOTHED CENTICA	^ATIONS		

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 1 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 Disclosing Party is unable to certify to any of the above statements in this Part B (Further

Certifications), the Disclosing Party must explain below:			
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.

C

C. CERTIFICATION	NOF STATUS AS FINANCIAL INSTITUTION
1. The Disclosing	g Party certifies that the Disclosing Party (check one)
[] is	X] is not
a "financial institution	n" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosi	ng Party IS a financial institution, then the Disclosing Party pledges:
Code. We further ple lender as defined in C	not become a predatory lender as defined in Chapter 2-32 of the Municipal edge that none of our affiliates is, and none of them will become, a predatory Chapter 2-32 of the Municipal Code. We understand that becoming a predatory n affiliate of a predatory lender may result in the loss of the privilege of doing y."
Section 2-32-455(b)	y is unable to make this pledge because it or any of its affiliates (as defined in of the Municipal Code) is a predatory lender within the meaning of Chapter al Code, explain here (attach additional pages if necessary):
N/A	
	te word "None," or no response appears on the lines above, it will be ed that the Disclosing Party certified to the above statements.
D. CERTIFICATION	N REGARDING INTEREST IN CITY BUSINESS
Any words or terms t meanings when used	hat are defined in Chapter 2-156 of the Municipal Code have the same in this Part D.
	with Section 2-156-110 of the Municipal Code: Does any official or employee ancial interest in his or her own name or in the name of any other person or
[] Yes	[x] No
NOTE: If you check Item D.I., proceed to	ked "Yes" to Item D.L, proceed to Items D.2. and D.3. If you checked "No" to Part E.

elected official or any other person o for taxes or assess "City Property Sal does not constitute	employee shall have a financial interestive in the purchase of any properments, or (iii) is sold by virtue of leg	erest in his or her own name or in the name of erty that (l) 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 powering of this Part D.
·		
•	[] No ked "Yes" to Item D.1., provide the yees having such interest and identify	names and business addresses of the City fy the nature of such interest:
Name	Business Address	Nature of Interest
	osing Party further certifies that no positive official or employee.	prohibited financial interest in the Matter will
E. CERTIFICATI	ON REGARDING SLAVERY ERA	A 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 slavehole	ty and any and all predecessor entit 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 tage to or injury or death of their slaves), and
Disclosing Party h	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 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

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		
	ter: (Add sheets if necessary):	
None		
•	appears or begins on the lines above, or if the letters "NA" or if the word "None" conclusively presumed that the Disclosing Party means that NO persons or entities	

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 F	arty the Applicant?	
[]Yes	[X] No	
If "Yes," answer the	he three questions below:	
·	eveloped and do you have on S? (See 41 CFR Part 60-2.)	n file affirmative action programs pursuant to applicabl
[] Yes	[] No	
Contract Complian		Committee, the Director of the Office of Federal imployment Opportunity Commission all reports due
[]Yes	[] No	
3. Have you p equal opportunity		ontracts or subcontracts subject to the
[] 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 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 1 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 dre 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.

Oth Street Development LLC
rint or type name of Disclosing Party)
y: (Sign-here)
David Porush
rint or type name of person signing)
Manager .
rint or type title of person signing)
gned and sworn to before me on (date) <u>December 16, 2510</u> <u>Look County, Illinois</u> (state).
Mangaret M Dennece Notary Public.
Ommission expires: 2-5-20(2 OFFICIAL SEAL MARGARET M TINUCCI NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRED COMPANY

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 Parmer thereof currendy have a "familial relationship" with an elected city official or department head?

[] Yes	[X] No	
such person is connec	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.

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

3 Diamond Development, LLC	
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submittin 1. [] the Applicant OR	ng this EDS is:
~ · · · · · · · · · · · · · · · · · · ·	ect interest in the Applicant. State the legal name of the nolds an interest: 79th Street Limited Partnership
	see Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	7444 N. Long Avenue Skokie, Ilhnois 60077
C. Telephone: 847.675.6666 x 1028 Fax: 847.3	Email: dporiish@mtsconsuiting.com
D. Name of contact person: David Porush	
E. Federal Employer Identification No. (if you	have one): 26-2574835
which this EDS pertains. (Include project num Removal of Neal Stein from ownership of 79th Street Limit	other undertaking (referred to below as the "Matter") to below as the location of property, if applicable): ded Partnership, the owner owner of Wrightwood Senior Apartments project, 28 velopment which was financed with a HOME loan and a TIF grant
G. Which City agency or department is reques	ting this EDS? Department of Housing and Economic Development
If the Matter is a contract being handled by complete the following:	the City's Department of Procurement Services, please
Specification # N/A	and Contract # N/A

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

 Indicate the nature of the Disclosing Parallel Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership Limited partnership Trust 	[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 Illinois	country) of incorporation or organization, if applicable:
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 atity?
[] Yes [] No	[x] 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. ist 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. abmit an EDS on its own behalf.
Name	Title
Ben Klein	Principal
David Porush	Principal/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 trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party	
Ben Klein	7444 N. Long Avenue, Skokie	50%	
David Porush	7444 N. Long Avenue, Skokie	50%	

SECTION HI -- 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] N o	•	
If yes, please ider relationship(s):	ntify below the name(s) of s	uch City elected official(s) and describe such	
N/A			

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, 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.
N/A			——————————————————————————————————————
(Add sheets if necessary)			
[X] Check here if the Disc	losing Party h	as not retained, nor expects to retain	, any such persons or entities
SECTION V CERTIF	TICATIONS		
A. COURT-ORDERED	CHILD SUPP	PORT COMPLIANCE	
		-415, substantial owners of business th their child support obligations thr	
<u> </u>	-	tly owns 10% or more of the Disclosons by any Illinois court of compete	
[] Yes [X] N		To person directly or indirectly owns sclosing Party.	10% or more of the
If "Yes," has the person e is the person in compliance		court-approved agreement for paym greement?	ent of all support owed and
[]Yes []N	0		
B. FURTHER CERTIFIC	CATIONS		
•	-	apter 1-23, Article I ("Article I")(what business") and legal 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 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:					
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.

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):

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.

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.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 le	re bidding, or otherwise permitted, no City 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 powering 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 by 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 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 has policies. The Disc	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

1. List below the names of all pers	sons 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 watter. (Add sheets if he	sure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with to the Matter: (Add sheets if necessary):					
	·					
None						
	·					
/IC 1 '	(1 1' 1 'C) 1 (HNTAH 'C) 1 HNT H					
	•					
appear, it will be conclusively presume	ed that the Disclosing Party means that NO persons or entities					

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 Disclosing Pa	Ty the Applicant?
[] Yes	[x] No
If "Yes," answer th	three questions below:
•	veloped and do you have on file affirmative action programs pursuant to applicable (See 41 CFR Part 60-2.)
[] Yes	[] No
Contract Complian	d with the Joint Reporting Committee, the Director of the Office of Federal e Programs, or the Equal Employment Opportunity Commission all reports due filing requirements? [] No
3. Have you pa	ticipated in any previous contracts or subcontracts subject to the ause?
[] 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 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 1 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 true, accurate and complete as of the date furnished to the City.

3 Diamond Development, LLC
(Print or type name of Disclosing Party)
By: (Sign here)
David Porush
(Print or type name of person signing)
Principal/Manager
(Print or type title of person signing)
Signed and sworn to before me on (date) <u>December 16, 2010</u> at <u>Cook</u> County, <u>Illinois</u> (state).
Mengine + M Acura Notary Public.
Commission expires: $2-5-2012$.
OFFICIAL SEAL MARGARET M TINUCCI 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 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	[X] N o	
such person is connec	- · · · · · · · · · · · · · · · · · · ·	son, (2) the name of the legal entity to which y official or department head to whom such such familial relationship.
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	

CITY OF CHICAGO ÉCONOMIG DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I = GENERAL INFORMATION

A. Legal name of the Disclosing Party submitt NHS Wrightwood Inc.	ting this EDS. In	nclude d/h/a/ if applicable:	
Check ONE of the following three boxes:			
Indicate whether the Disclosing Party submitting 1. [] the Applicant	ng this EDS is:		
2. A legal entity holding a direct or indirect of indirect of indirect of indirect or indirect of indirect or indi	hölds an interest	79th Street Limited Partnership	
3. [] a legal entity with a right of control (which the Disclosing Party holds a right of		1.) State the legal hame of the entity in	
B. Business address of the Disolosing Party:	1279 N. Milwa	ukee Ávē.	
	Chicagd, IL 60622		
C. Teléphone: (773).341-3174 Fax: (775)	3) 329 4 120	Email: ddixon@hhschicago.org	
D. Name of contact person:	ii 	:	
E. Federal Employer Identification No. (if you			
F. Brief description of contract, transaction or which this EDS pertains. (Include project num Withdrawal of Neal Stein from the 79th Street Limited Pa 2815 W. 79th Street, an 95-unit senior mixed-income housing	mber and location	n of property, if appheable): In the Wrightwood Senior Apartments project,	
G. Which City agency or department is reque	sting this EDS?_	Department of Housing and Economic Development	
If the Matter is a contract being handled by complete the following:	the City's Depa	rtinent of Procurement Services, please	
Specification#	and Contra	ict#	

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSINO PARTY

[] Person [] Publicly registered by [] Privately held busines [] Sole proprietorship [] General partnership [] Limited partnership [] Trust		[] 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 o	counny) of incorporation or organization, if applicable:
3. For legal entities business in the State of I	_	State of Illinois: Has the organization registered to do tity?
[]Yes	[]No	N/A
B. IF THE DISCLOSIN	IG PARTY IS A LEC	AL ENTITY
	Il names and titles of	and the second state of the second
NOTE: For not-for-prof there are no such member the legal titleholder(s). If the entity is a gener partnership or joint vent manager or any other pe	it corporations, also lers, write "no ruembe al partnership, limite ure, list below the na rson or entity that co	d partnership, limited liability company, limited liability me and title of each general partner, managing member,
NOTE: For not-for-prof there are no such member the legal titleholder(s). If the entity is a gener partnership or joint vent manager or any other pe	it corporations, also lers, write "no ruembe al partnership, limite ure, list below the na rson or entity that co	list below all members, if any, which are legal entities. If rs. For trusts, estates or other similar entities, list heldw 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
NOTE: For not-for-profethere are no such member the legal titleholder(s). If the entity is a gener partnership or joint vent manager or any other pendotte: Each legal entity. Name	it corporations, also lers, write "no ruembe al partnership, limite ure, list below the na rson or entity that co	ist below all members, if any, which are legal entities. If re. For frusts, estates or other similar entities, list heldw 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 ubmit an EDS on its own behalf.

2. Please provide the following information concerning each person or entiry 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 corpbration, partnership interest in a partnership or joint vontare,

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 hone, 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 apolicant which is reasonably intended to achieve full disclosure:

Name	Business Address	Percentage Interest in the				
Disclosing Party NHS Redevelopment Consoration 1279 N. Milwuakee Ave., 5th Fl., Chicago, 60622 100%						
<u> </u>	· · · · · · · · · · · · · · · · · · ·	•				
. —————————————————————————————————————						
SECTION III I	Business relationships w	ITH CITY ELECTED OFFICIALS				
Has the Disclos Code, with any Cit	ing Party had a "business relationsh ty elected official in the 12 months t	ip," as defined in Chapter 2-156 of the Municipal before the date this EDS is signed?				
[]Yes	No					
If yes, please identricationiship(s):	tify below the name(s) of such City	elected official(s) and describe such				
	· · · · · · · · · · · · · · · · · · ·					

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED EARTIES

The Disclosing Party must disclose the hame 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 epinnection 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 hot required to disclose emoloyees 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 eniployee 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 necessa	iy)		
Check here if the D	isclosing Party	has not retained, hor exports to retain	n, any such persons or entities
SECTION V CER	TIFICATIONS	5	
A. CCURT-ORDER	о Эр Сигр Sup	PORT COMPLIANCE	
		2-415, substantial owners of busines ith their child support obligations the	
and the second of the second o		ctly owns 10% or more of the Disclo	
'[1']; 'Y és [No porson directly or indirectly own	s 10% or more of the
if "Yes;" has the person in confol		a court-approved agreement for paymagreement?	nent phall support owed and
[] Ý es [] No		
B. FURTHER CERT	IFICATIONS		
eonsult for defined ter submitting this EDS i certifies as follows: (i with, or has admitted criminal offense invo	ths (e.g., "doin s the Aoplicant) neither the Ap guilt of, or has lving actual, atte	haoter 1-23, Article 1 ("Article 1")(we business") and legal requirements), and is doing business with the City, to clicant nor any controlling person is over becureouvicted of, or placed undempted, or conspiracy to commit bribin officer or ethologee of the City or	if the Disclosing Party their the Disclosing Party currently hidicted or charged ler supervision for, any pery, 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 debarrient, declared inoligible or voluntarily excluded from any transactions by any federal, state of 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 statales; fraud; epibezzlement; theft; forgery; bribery; falsification dr destruction of records; making false statements; or receiving stolen property;
 - 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 bne or more public transactions (federal, state of local) terminated for cause or default; and
 - c. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty; or found liable it a civil proceeding, or in any criminal or civil action; including actions concerning environmental violations, instituted by the City or by the foderal government, any state, or any other unit of local government.
 - 3. The certifications in subparts 3, 4 and 5 concerns:
 - the Disclosing Party;
 - e any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter Including but not limited to all ocrsons 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 die Disclosing Party, under common control of another porson or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests ainong 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 Emity (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 Congactor 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 composition by agreement to bid a fixed price or otherwise; or
- c. inade an adihission 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 eniployees, 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 Arcerica that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party hor 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 Comhicres on their successors: the Specially Designated Nationals List, the Denied Persons List, die Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and sliall 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), die Disclosing Party must explain below:						
				. <u>-</u>		
		· · · · · · · · · · · · · · · · · · ·	···-			
			-			

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

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- [] is is not
- a "financial institution" as defined in Section 2-32-455(b) of the Muhicipal Code.
 - 2: If the Disclosing Party IS a fmancial institution, then the Disclosing Party pledges:

"We are not attd 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 Minicipal Code. We understand that becoming a predatory lender or becoming an affiliate pf a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Pa	tty is unable to	make this pl	edge oecau	se it or	any of its	affiliates	s (as de	fined in
Section 2-32-455(b)								
2-32 of the Municip								٠,
N/A			ان محمد درور سا					

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. The accordance with Section 2-156-110 of the Municipal Code: Does any official or omployee 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 VNo

NOTE: If you cheeked "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 odier person of for taxes or assess "City Property Sal	employee shall have a financial inte or entity in the purchase of any prope nients, or (iii) is sold by virtue of le	re bidding, or otherwise permitted, no City rest in his or her own name pr in the name of exty 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 in	volve a City Property Sale?	
[]Yes	Ň pio	
	ked "Yes" to Item D.t., provide the yees having such interest and identi-	names and business addresses of the City fy the hature of such interest:
Name	Business Address	Nature of Interest
Pléase check é disclose below or comply with these conhection with the large of the Disclosing Patrom slavery or slissued to, slaveho the Disclosing Patrom 2. The Disc	in an attachment ip this EDS all infections in a requirements may make lie Matter voidable by the City. losing Party verifies that the Disclos rty and any and all predecessor entit aveholder insurance policies during lders that provided coverage for danty has found no such records.	ornation required by paragraph 2. Failure to any contract entered into with the City in sing Party has searched any and all records of ites regarding records of investments or profits the slavery era (including insurance policies nage to or injury or death of their slaves), and of conducting the search in step 1 above, the
policies. The Dis	elosing Party verifies that the follow	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 finided, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and oroceeds of debt-obligations of the City are not federal funding.

A. CERTIFICATION RECARDING LOBBYING

Disclosure Act of l	he names of all persons or e 1995 who have made iobbyi er: (Add sheets if necessary	ng contacts of			
N/A	ci, (Add sheets if necessary	<i>y</i> . 			
	· · · · · · · · · · · · · · · · · · ·	<u> </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. I. above for his or her jobbying activities or to pay any person or onity to ibfluence 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 eyeot that materially affects the accuracy of the statements and information set forth in paragraphs A.1. anti A.2 above.
- 4. The Disclosing Party certifies that oitlier: (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 distance of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION RECARDING 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:

ls the Disclosing	Party the Applicant?
[] Yes	N No
If "Yes," answer	the three questions below:
	devoloped and do you have on file affirmative action programs pursuant to applicable s? (See 41 CFR Part 60-2.)
Contract Complia	filed with the Joim Reporting Cothmittee, the Director of the Office of Federal ince Programs; or the Equal Employment Opportunity Commission all reports due ble filing requirements?
3. Have you pequal opportunity	participated in any previous contracts presubcontracts subject to the clause?
If you cliecked "I	No ^{ji} to question 1, or 2, aboye, please provide an explanation:
· 	
	- ACKNOWLEDGMENTS, CONTRACT INCORPORATION; , 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 intist comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. Ttie City's Governmental Ethics and Campaign Financing Ordinances, Chapiers 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 rext of these ordinances and a training program is available on line at www.citvofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, inclinding 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 die City of treble damages:
- D. It is the City's policy to make this document available to the public on its liternet 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 linformation Act request, or otherwise. By completing and signing this EDS, the Disclosing Pariy 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 i=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:

- The Disclosing Party is not delinquent in the payraent 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; not perhit 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.
- P.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be bired 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.

NHS Wrightwood Inc.
(Print or type name of Disclosing Party)
By: Aca White (\$ign here)
(\$ign here) James K. Wheaton
(Print or type name of person signing)
Vice President
(Print or type title of person signing)
Signed and sworn to before me on (date) 12 - 16 - 2010
at <u>Cook</u> County, <u>I/</u> (state).
<u>Sterikhall Willeams</u> Notary Public.
Commission expires: $\frac{7/24/20/2}{}$
OFFICIAL SEAL SANDRA G WILLIAMS NOTARY PUBLIC - STATE OF BLINOIS MY COMMISSION EXPINEES/07/80/12

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELIATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed buly by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.8 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 diereof currently has a "familial reladonship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner diereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic oartner or as any of the following, whether by blood or adoption: parent, child, brother or sister, annt 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. I.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 die Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently liave a "familial relationship" with an elected city official or department head?

[] Yes	No.	,		
such person is conhect	ted; (3) the nanie and title of	de of such person, (2) the ham the electod city official or dep se hature of such familial relai	artment head to v	ty to which vhom sucb

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting NHS Redevelopment Corporation	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 2. [/] a legal entity holding a direct or indire Applicant in which the Disclosing Party holding	ct interest in the Applicant. State the legal name of the
	ee Section II.B.1.) State the legal name of the entity in control:
B. Business address of the Disclosing Party:	1279 N. Milwaukee Ave.
	Chicago, IL 60622
C. Telephone: (773) 341-3174 Fax: (773)	329-4120 ddixon@nhschicago.org
D. Name of contact person:	
E. Federal Employer Identification No. (if you h	nave one):
which this EDS pertains. (Include project numb Withdrawal of Neal Stein from the 79th Street Limited Partr	ther undertaking (referred to below as the "Matter") to per and location of property, if applicable): nership ownership in the Wrightwood Senior Apartments project, development which was financed with a HOME loan and a TIF grant.
G. Which City agency or department is requesti	Department of Housing and Economic Development ing dris EDS?
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

 Indicate the nature of the Disclosing Pa Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership Limited partnership Trust 	rty: [] 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 c	ountry) of incorporation or organization, if applicable:
Illinois	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	tate of Illinois: Has the organization registered to do tity?
	* -
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
NOTE: For not-for-profit corporations, also little are no such members, write "no member the legal titleholder(s). If the entity is a general partnership, limited partnership or joint venture, hst below the name	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 a 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. Ibmit an EDS on its own behalf.
Name See attached list of Board of Directors and Officers	Title
NHS Redevelopment Corporation disclosing	
Neighborhood Housing Services of Chicago, Inc. Sole Mer	mber

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 hone, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the
		Disclosing Party
N/A		
		<u> </u>
SECTION III 1	RUSINESS RELATIONSHIPS W	ITH CITY ELECTED OFFICIALS
beciron in	BUSHIESS REEM TONSHIT S W	
Has the Disclos	ing Party had a "business relationsh	nip," 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?
[]Yes	⋈ No	
[]105	. γ,140	
• • •	tify below the name(s) of such City	elected official(s) and describe such
relationship(s):		

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

Name (indicate whether 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))		
M Check here if the Disc	closing Party h	nas not retained, nor expects to retain	n, any such persons or entities
SECTION V CERTI	FICATIONS		
A. COURT-ORDERED	CHILD SUPI	PORT COMPLIANCE	
• .		2-415, substantial owners of business the their child support obligations thr	
• •	-	etly owns 10% or more of the Disclo ons by any Illinois court of compete	
[]Yes []I	- y ·	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?	ent of all support owed and
[] Yes [] I	No	•	
B. FURTHER CERTIF	ICATIONS		
1 Pursuant to Muni	cinal Code Ch	vanter 1-23 Article I ("Article I")(wl	hich 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 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
	fications), the Disclosing Party must explain below:
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.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

- 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.

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?

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 emp any other person or en for taxes or assessmen "City Property Sale").	ployee shall have a financial inte tity in the purchase of any prop its, or (iii) is sold by virtue of le	we bidding, or otherwise permitted, no City erest 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, ten pursuant to the City's eminent domain power ning of this Part D.
Does the Matter invol	ve a City Property Sale?	
[]Yes	№ No	
•	"Yes" to Item D.I., provide the having such interest and identi	names and business addresses of the City fy the nature of such interest:
Name N/A	Business Address	Nature of Interest
be acquired by any Ci E. CERTIFICATION Please check either disclose below or in a comply with these disconnection with the M 1. The Disclosing Party a from slavery or slaver issued to slaveholders	ty official or employee. REGARDING SLAVERY ER. 1. or 2. below. If the Disclosing attachment to this EDS all infectors requirements may make fatter voidable by the City. In Party verifies that the Disclosing any and all predecessor entity tolder insurance policies during	A BUSINESS Ag Party checks 2., the Disclosing Party must formation required by paragraph 2. Failure to any contract entered into with the City in sing Party has searched any and all records of ties 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 find policies. The Disclos	Found records of investments or ing 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

Disclosing Party with respect to the Matter.)

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" o appear, it will be conclusively presumed that the Disclosing Party means that N registered under the Lobbying Disclosure Act of 1995 have made lobbying con	O 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 Apphcant 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	√:
federal regulation	ns? (See 41 CFR Part 60	ve on file affirmative action programs pursuant to applicable -2.)
[] Yes	[] No	
Contract Complia	•	rting Committee, the Director of the Office of Federal ual Employment Opportunity Commission all reports due
3. Have you equal opportunity	• • • • •	ous contracts or subcontracts subject to the
[] Yes	[] No	
If you checked "	No" to question 1. or 2. a	bove, 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 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 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 true, accurate and complete as of the date furnished to the City.

NHS Redevelopment Corporation	
(Print or type name of Disclosing Party)	-
By: In (LWhile)	
(Sign here)	
James K. Wheaton	
(Print or type name of person signing)	-
Authorized Signatory	
(Print or type title of person signing)	_
•	
Signed and sworn to before ine on (date) at County, _///p.o/S_	2-110-2010, _(state).
Marginet m Fennica	Notary Public. OFFICIAL SEAL
Commission expires: 2-135-201	MARGARET M TINUCCI NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:02/05/12

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; ali general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; ali 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

[] Ves

1 1 200	V 1	
such person is conne	tify below (1) the name and title of such person, (2) the nacted; (3) the name and title of the elected city official or derelationship, and (4) the precise nature of such familial results.	epartment head to whom such

NHS Redevelopment Corporation

DIRECTORS 2010-2011

The NHS Redevelopment Corporation by-laws establish a variable range of Directors of the Corporation at a minimum of eleven (11) and a maximum of sixteen (16).

BETTYE BAKER-HOUSTON, Secretary Community Resident

BEN GILLSPIE

Chase Bank

VACANT, Vice President

KRISTINE JURMU, President Bank of America

CHRISTINE KOLB

Urban Land Institute

ROBERT MCGHEE US Bank

FLOYD MINOR

Community Resident

STEVE QUASNY

Harris Bank

JOHN RUSH

Cara Program - CleanSlate

DANIEL SIADAK

Bank of America

ADRIENNE WHITNEY

Community Resident

JUDY ZABA

Community Resident