

# City of Chicago



O2017-5782

# Office of the City Clerk

# **Document Tracking Sheet**

**Meeting Date:** 7/26/2017

Sponsor(s): Emanuel (Mayor)

Type: Ordinance

Title: Support of Class L tax incentive for property at 933-943 W

Fulton Mkt

Committee(s) Assignment: Committee on Finance



### OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

July 26, 2017

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

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing a Class L tax status for property located at 933-43 West Fulton Market.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor



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#### ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois authorized to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Cook County Board of Commissioners has enacted the Tax Incentive Ordinance, Classification System for Assessment, as amended from time to time (the "County Ordinance"), which establishes the Class L property tax classification to encourage the preservation and rehabilitation of certain historically and architecturally significant buildings, which will enhance the general character of real estate in the county and contribute to the economic well-being of the county by increasing the level of economic activity, increasing employment opportunities and contributing to the long-term growth of the real property tax base; and

WHEREAS, MC ASB 939 Fulton, LLC, a Delaware limited liability company (the "Owner"), is the owner of the historic building (the "Building") located at 933-43 West Fulton Market in Chicago, Illinois, as more precisely described in <a href="Exhibit 1">Exhibit 1</a> attached hereto and hereby made a part hereof (the land and improvements thereon being herein referred to as the "Project Real Estate"); and

WHEREAS, the City Council of the City (the "City Council") adopted an ordinance on July 29, 2015, designating the area encompassing the Building, otherwise known as the Fulton-Randolph Market District, as a Chicago Landmark pursuant to the criteria established in Section 2-120-580 et seq. of the Municipal Code of Chicago, identifies the Building as a Contributing Building within the Fulton-Randolph Market District, and such designation as a Chicago landmark meets the definition of landmark pursuant to Section 1 of the County Ordinance; and

WHEREAS, the Owner proposes to rehabilitate the Building thereby preserving the historic building, increasing employment opportunities in the area and contributing to the long-term growth of the real property tax base (the "Project"); and

**WHEREAS**, the redevelopment objective of the City in connection with the Project Real Estate is to remove non-historic alterations and restore the exterior elevations of the historic building; rehabilitate the interior of an underutilized building; and enhance the City's property tax revenue; and

WHEREAS, the Owner intends to use the Building for commercial purposes after the Project is completed by operating the Building for retail, restaurant or office purposes (the "Intended Use"); and

WHEREAS, it is anticipated that the Project may require a transfer of a beneficial interest in the Owner to one or more entities who will receive an allocation of federal historic rehabilitation tax credits ("Tax Credit Investors"); and

WHEREAS, the Owner has applied to the Office of the Assessor of Cook County, Illinois (the "Assessor"), for designation of the Project Real Estate as a Class L classification eligible for

certain real estate tax incentives pursuant to the County Ordinance; and

WHEREAS, pursuant to the County Ordinance, the Class L classification is available to real estate which is to be used for commercial or industrial purposes and which (1) is a Landmark (as defined in the County Ordinance); and (2) has undergone Substantial Rehabilitation (as defined in the County Ordinance), which constitutes an investment by the owner of at least 50 percent of the building's full market value as determined by the Assessor in the assessment year prior to the commencement of the Substantial Rehabilitation; and the Class L incentive shall apply to the building only, except that if the entire building has been vacant and unused for at least 24 continuous months prior to the filing of the eligibility application with the Assessor, the land upon which the building is situated shall be eligible for the incentive; and

WHEREAS, the County Ordinance requires that, in connection with the filing of a Class L eligibility application with the Assessor, an applicant must obtain from the unit of local government in which the real estate is located, an ordinance or resolution which expressly states, among other things, that the local government: 1) has determined that the incentive provided by Class L is necessary for the Substantial Rehabilitation of the property; 2) supports and consents to the granting of the incentive; and 3) has reviewed and accepted its Preservation Commission's (as defined in the County Ordinance) written recommendation of the project for the Class L incentive, specifying the project budget and proposed scope of the work, which meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties; and

WHEREAS, the City is a Certified Local Government as defined in the County Ordinance and has established the City of Chicago Commission on Chicago Landmarks (the "Landmarks Commission"), and such Landmarks Commission is a Preservation Commission (as defined in the County Ordinance); and

**WHEREAS**, on April 6, 2017, the Landmarks Commission issued a written recommendation of the Project to the City Council recommending that the Project be approved by the Assessor for the Class L incentive, a copy of which is attached hereto as <u>Exhibit 2</u> and hereby made a part hereof; and

WHEREAS, the Project Real Estate shall have been occupied and used for the 24-month period prior to the filing of the Class L eligibility application with the Assessor, making the Class L incentive applicable to the Building only; and

WHEREAS, the Department of Planning and Development of the City ("DPD") has reviewed the proposed Project, has determined that it meets the necessary eligibility requirements for Class L designation, and hereby recommends to City Council that the City expressly determine by ordinance, among other things, that: 1) the incentive provided by Class L is necessary for the Substantial Rehabilitation of the Project Real Estate; 2) the City supports and consents to the granting of the incentive; and 3) the City has reviewed and accepted the Landmarks Commission's written recommendation of the Project for the Class L incentive, specifying the Project budget and proposed scope of the work, and specifying that the Project meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties; now, therefore,

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

- **SECTION 1.** The above recitals are hereby expressly incorporated as if fully set forth herein.
- **SECTION 2.** The City hereby determines that the incentive provided by Class L is necessary for the Substantial Rehabilitation of the Project Real Estate.
- **SECTION 3.** The City hereby expressly supports and consents to the granting of the Class L incentive. The City's support and consent to the grant of certification for the Class L incentive for the Project Real Estate is expressly conditioned upon the substantial completion of the Project as proposed by the Owner and approved by the City, both upon completion of the Substantial Rehabilitation of the Project Real Estate and during the term of the Class L incentive.
- **SECTION 4.** The Project is anticipated to be completed by September 1, 2018. The Commissioner of DPD (the "Commissioner") or a designee of the Commissioner (together with the Commissioner, an "Authorized Officer") shall have discretion to extend the construction completion date by issuing a written extension letter in response to a written request from the Owner. To the extent that the Project Real Estate is not rehabilitated, used or maintained during the term of the Class L incentive in a manner which is substantially consistent with the approved Project or Use, as determined by the Authorized Officer, the Authorized Officer is hereby authorized to take such steps as may be necessary and appropriate to withdraw the City's support and consent to the Class L incentive, which may cause the Class L certification to be terminated or revoked.
- **SECTION 5.** The City has reviewed and hereby accepts the Landmarks Commission's written recommendation of the Project for the Class L incentive, which specifies the Project budget and proposed scope of the work, and which specifies that the Project meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties, a copy of which is attached hereto as <a href="Exhibit:2"><u>Exhibit:2</u></a> and made a part hereof.
- **SECTION 6.** The Economic Disclosure Statement, as defined in the County Ordinance, has been received and filed by the City.
- **SECTION 7.** The Authorized Officer is hereby authorized to deliver a certified copy of this Ordinance to the Assessor and to furnish such additional information as may be required in connection with the filing of the application by the Owner with the Assessor for Class L designation of the Project Real Estate.
- **SECTION 8.** The Authorized Officer is hereby authorized to enter into and execute such instruments and agreements, and perform any and all acts as shall be necessary or advisable in connection with the Project including such other terms and conditions as may be imposed or approved in connection with the Project by the Authorized Officer.
- **SECTION 9.** The Authorized Officer is hereby authorized to approve minor changes in the scope of work and budget delineated on (Sub) Exhibits A and B to Exhibit 2 hereof, provided that changes in the Building conditions warrant such changes and will not change the suitability of the Project Real Estate for the Use (all as determined in the sole discretion of the Authorized Officer). Changes to the Project budget delineated on (Sub) Exhibit A to Exhibit 2 shall not require

prior City approval provided that the Project is substantially completed in accordance with the scope of work defined in (Sub) Exhibit B to Exhibit 2 and achieves the minimum investment required for Class L eligibility.

**SECTION 10.** Upon request by the Owner for a final determination of the eligibility of the Project Real Estate for the Class L incentive by the Landmarks Commission pursuant to the County Ordinance upon completion of the Substantial Rehabilitation of the Project Real Estate, the Authorized Officer shall verify that the work performed substantially conforms to the Project approved by the City and that the Project Real Estate is eligible for the Class L incentive (the "Final Determination").

SECTION 11. Any conveyance of all or a portion of the Project Real Estate by the Owner before the Final Determination shall render the support and consent of the City for the Class L incentive set forth hereunder in connection with the Project null and void. Any renewed support and consent of the City for the Class L incentive contemplated in connection with the Project undertaken by a successor in interest to the Owner of the Project Real Estate prior to the Final Determination shall require additional authorization by the City Council. Any change prior to the Final Determination in the direct owners in excess of 7.5% of the Owner or who constitute the direct or indirect controlling parties of the Owner, as determined by the Corporation Counsel (an "Ownership Change"), shall render the support and consent of the City for the Class L incentive set forth hereunder in connection with the Project null and void, unless such Ownership Change is approved by the Authorized Officer in his or her discretion. This Section shall not apply to the transfer of a beneficial interest in the Owner to Tax Credit Investors with respect to the Project, or to the transfer of a leasehold interest in the Project Real Estate to a master tenant entity owned in whole or in part by one or more Tax Credit Investors, provided that such transfers do not involve a change to the direct or indirect controlling parties of the Owner.

**SECTION 12.** No permit fee waiver(s) pursuant to Section 2-120-815 of the Municipal Code of Chicago from the City related to the Project Real Estate shall be granted to the Owner during the rehabilitation of the Project and prior to the expiration of the Class L incentive related to the Project Real Estate.

**SECTION 13.** To the extent that any ordinance, resolution, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this Ordinance, the provisions of this Ordinance shall be controlling. If any section, paragraph, clause or provision 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 14.** This Ordinance shall be effective from and after its passage and approval.

### **EXHIBIT 1**

# **LEGAL DESCRIPTION**

(Subject to final title and survey)

LOTS 1, 2, 3, 4 AND 5 IN S.F. GALE'S SUBDIVISION OF BLOCK 22 IN CARPENTER'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers:

17-08-423-002-0000

Address Commonly known as:

933-43 West Fulton Market, Chicago, IL

# **EXHIBIT 2**

Commission on Chicago Landmarks Recommendation to the City Council

- see attached

## CITY OF CHICAGO COMMISSION ON CHICAGO LANDMARKS April 6, 2017

# RECOMMENDATION TO THE CITY COUNCIL THAT A CLASS L REAL ESTATE TAX REDUCTION BE APPROVED FOR

933-943 W. Fulton Market (Fulton-Randolph Market District)

## To the Mayor and Members of the City Council of the City of Chicago:

Whereas, the Commission on Chicago Landmarks (the "Commission") has reviewed an application for the proposed exterior and interior rehabilitation of the building at 933-943 W. Fulton Market (the "Building," and its rehabilitation, the "Project"), pursuant to the Cook County Real Property Assessment Classification Ordinance, as amended (the "County Ordinance"), and its requirements governing the Class L real estate tax incentive (the "Class L"); and

Whereas, the Building is within the Fulton-Randolph Market District, designated as a Chicago Landmark by the City Council of the City of Chicago (the "City Council") on July 29, 2015; now, therefore

#### THE COMMISSION ON CHICAGO LANDMARKS HEREBY:

- 1. Incorporates the above recitals; and
- 2. Finds, based on the Project's budget and proposed scope of work, incorporated herein and attached as Exhibits A and B respectively, that the Project meets or exceeds the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings; and
- 3. Finds that the Project meets the eligibility criteria for the Class L incentive specified in the County Ordinance;
- 4. Finds that 933-943 W. Fulton Market is a contributing building to the historic character of the Fulton-Randolph Market District; and,
- 5. Recommends that the Project be approved for the Class L incentive.

The above recommendation was passed Manual

Rafael M. Leon

Chairman

Dated:

### **EXHIBIT A**

## 933-943 W. FULTON MARKET

## PROJECT BUDGET

Category	Non	-Eligible Costs	'Glassyk Eligible') المراجعة (Gosts)	Total Costs <sup>~</sup>
1. Building Acquisition	\$	8,834,588		\$ 8,834,588
2. Acquisition Closing Costs	\$	353,271		\$ 353,271
3. Hard Costs [List Hard Costs Below]				 
Demolition / Site	\$	-	\$ \$4,600 327/2849	\$ 327,284
Concrete	\$	-	3. S 7. 10. 217 000 C	\$ 217,000
Masonry	\$	-	\$ X - \ 4875 (000)	\$ 875,000
Metals	\$	<del>-</del>	S \$ \$ 87,226	\$ 847,226
Wood/Plastics	\$	-	18 365,7E0	\$ 365,790
Therm/Moist Prot	\$	-	35 451,510	\$ 451,510
Doors/Windows	\$	-	\$ 626,220	\$ 626,220
Finishes	\$	-	\$. 202,463	\$ 272,465
Façade	\$	-	§ 25/1/ <sub>1</sub> 025	\$ 277,025
Conveying Systems	\$	-	\$ .033,500	\$ 138,500
Interior Signage	\$	-	, \$° 2,500 °	\$ 2,500
Structural	\$	-	\$ 750,000	\$ 750,000
Mechanical	\$	-	\$ 210,570	\$ 910,570
Electrical	\$	-	\$ 423,200	\$ 425,200
Green Roof	\$	-	\$ 20,480	\$ 90,430
General Conditions	\$	<del>,</del>	\$ 623,439	\$ 628,489
Insurance	\$	-	. \$ . 79,800 ,	\$ 79,800
Overhead & Fee	\$	-	. \$ 220)200 -	\$ 220,900
Total Hard Costs	\$	-	\$ 7 <b>,503,60</b> 9	\$ 7,505,909
4. Soft Costs				
Permit Fees			S 15,011	\$ 15,011
A&E			266,145	\$ 266,145
Consulting			\$)	\$ 12,500
Legal		•	/ \$1/ · · · · 7/5 000)	\$ 75,000
Insurance			\$! \$10,000	\$ 10,000
Development Management			\$,276 365,000	\$ 365,000
Leasing Commissions	\$	900,000		\$ 900,000
Other Marketing	\$	15,000		\$ 15,000
Debt and Equity Construction Loan Interest				\$ -
Preliminary Budget Contingency (10%)			ausylii 74:366	\$ 74,366
Total Soft Costs				\$ 1,733,022
Project Total Costs	\$	10,102,859	\$ 8,323,931	\$ 18,426,790

#### EXHIBIT B

# 933-943 W. Fulton Market SCOPE OF THE WORK

<u>General</u>. All work affecting the significant historical and architectural features shall be done in accordance with the following:

- The City of Chicago's building permit review procedures and the Landmarks Ordinance, 2-120-580 et seq. of the Municipal Code of Chicago.
- The review and approval of the Commission.
- The U.S. Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings (the "Standards") and the Guidelines for Alterations to Historic Buildings and New Construction, adopted by the Commission on March 4, 1992.
- Historic photographs, architectural drawings, and any other available archival documentation of the building, unless alteration from the same are agreed to by the Commission, to be investigated and assembled by the property owner.
- Drawings prepared by Hartshorne Plunkard Architecture dated July 5, 2016, revised drawings dated February 24, 2017 with additional updated sheets dated March 17, 2017, façade condition assessment summary report prepared by Revive Architecture dated September 30, 2016, revised January 17, 2017, and any Commission/PRC conditions of approval.

<u>Required Approvals.</u> All work must be submitted to the Commission staff for prior review and approval. The Commission staff may require as part of its review, as appropriate, material samples, paint colors and finishes, shop drawings, specifications, mock-ups, test patches, and control samples.

## Required Work.

#### Exterior:

Work shall include:

- Masonry work to include: chemical cleaning of all elevations; repointing of mortar joints on all elevations; select stone replacement on all elevations; removal and resetting of select stone units on east and north elevations; rebuilding select areas of brick masonry on all elevations; cleaning and painting existing steel lintels except where replacement required per plans; and additional structural work as discovered – all masonry work to match original
- Repair of existing historic cast iron columns
- Repair/replacement of existing historic storefront transoms
- Installation of new storefronts and entrances
- Installation of new upper-floor windows
- Removal of existing non-historic third story and roof structure; construction of a new single-story addition with flat roof as per plans
- Installation of vegetative 'green' roof for a minimum of 50% of net usable area

#### Interior:

Work shall include:

- Demolition of all interior non-load bearing walls and finishes, and select areas of masonry load-bearing masonry walls
- Structural work to include: repair or replacement of wood, concrete, and steel structural elements; replace first floor deck and structure 100% with new metal deck with concrete

infill ready for Tenant finishes, install new timber plank flooring as per drawings, frame new third floor addition

- Installation of one new four-stop elevator
- Construction of two new fire stairs
- Upper floor entry lobby
- New or existing plywood underlayment over T&G planks on 2<sup>nd</sup> and 3<sup>rd</sup> floors, ready for Tenant finishes
- New service rooms for water and switch gear; new utility room for water service and equipment; new incoming water service and distribution
- New electrical room for main electrical service and metering
- New gas service
- All new sprinkler system and fire protection system
- New mechanical system

Work shall occur in accordance with permit drawings for the Project, to be reviewed and approved by the staff of the Commission on Chicago Landmarks. Upon completion of the above scope of work, the project shall exceed ASHRAE 90.1-2004 by at least 14%.

<u>Additional work</u> not required by the Class L, but to be undertaken by the owner, includes construction of a roof deck. Any signage and exterior illumination shall be reviewed and approved by the Commission. The project is designed to follow Leadership in Energy and Environmental Design (LEED) Certified guidelines.

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of the I	Disclosing Party submit	tting this EDS. Inc	lude d/b/a/ if applicable:
MC ASB 939 Fulton, LLC	<u> </u>		1
Check ONE of the following	lowing three boxes:		
the contract, transaction	nt y currently holding, or a n or other undertaking t	enticipated to hold to which this EDS jos of 7.5% in the Ap	within six months after City action or pertains (referred to below as the oplicant. State the Applicant's legal
			of the Applicant (see Section II(B)(1)) olds a right of control:
B. Business address of	the Disclosing Party:	55 E. 59th Street, 17th	Floor
•		New York, NY 10022	
C. Telephone: 212-759-23	350 Fax: 212-	759-8980	Email: cm@mcapny.com
D. Name of contact per	rson: Christian Mejia		
E. Federal Employer Id	dentification No. (if you	a have one).	
F. Brief description of property, if applicable):		s EDS pertains. (I	nclude project number and location of
Approval of a Class L Property Tax	x Incentive for the property local	ed at 933-943 West Fulton	Market, Chicago, IL
G. Which City agency	or department is reques	ting this EDS?	Department of Planning and Development
If the Matter is a contraction complete the following:	•	e City's Department	t of Procurement Services, please
Specification #	n/a	_ and Contract # _	n/a
Ver.2017-1	Pa	age 1 of 14	

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

# A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [ ] Person [x] Limited liability company [ ] Publicly registered business corporation [ ] Limited liability partnership [ ] Privately held business corporation [ ] Joint venture [ ] Sole proprietorship [ ] Not-for-profit corporation [ ] General partnership (Is the not-for-profit corporation also a 501(c)(3))? [ ] Limited partnership []Yes []No [ ] Trust [ ] Other (please specify) 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Delaware 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? [x] Yes [ ] Organized in Illinois []No B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant. NOTE: Each legal entity listed below must submit an EDS on its own behalf. Name Title See attached Exhibit A

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

**NOTE**: Each legal entity listed below may be required to submit an EDS on its own behalf. Business Address 7501 Wisconsin Avenue, Suite 1300W Percentage Interest in the Applicant Name MC ASB Fulton Market 100% Bethesda, MD 20814 Holdings, LLC SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED **OFFICIALS** Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? []Yes [x] No Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? [ ] Yes [x] No If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation: Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? [ ] Yes [x] No If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none,

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

state "None."

Name (indicate whether retained or anticipated to be retained)  Bridget O'Keefe Daspin & Aumen	Business Address	Relationship to Disclosing Pa (subcontractor, attorney, lobbyist, etc.)	<u>pa</u> "h	es (indicate whether aid or estimated.) NOTE: nourly rate" or "t.b.d." is t an acceptable response. \$10,000.00 (est.)
Hartshorn Plunkard 232 N. Carpe	nter Street, Chic	ago, IL 60607	Architect	\$10,000.00 (est.)
(Add sheets if necessary)  [ ] Check here if the Disc  SECTION V CERTIF		has not retained, nor expects t	o retain,	any such persons or entities.
A. COURT-ORDERED	CHILD SUI	PPORT COMPLIANCE		
	•	ntial owners of business entities support obligations throughou		_

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

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?

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

[]Yes []No

#### B. FURTHER CERTIFICATIONS

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

- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

n/a	ations), the Disclosing Party must explain below:
	tters "NA," the word "None," or no response appears on the lines above, it will be conclusiveled that the Disclosing Party certified to the above statements.
complet month p	ne best of the Disclosing Party's knowledge after reasonable inquiry, the following is a e list of all current employees of the Disclosing Party who were, at any time during the 12-eriod preceding the date of this EDS, an employee, or elected or appointed official, of the Citago (if none, indicate with "N/A" or "none").
the 12-m official, made ge the cours	ne best of the Disclosing Party's knowledge after reasonable inquiry, the following is a se list of all gifts that the Disclosing Party has given or caused to be given, at any time during north period preceding the execution date of this EDS, to an employee, or elected or appointe of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything nerally available to City employees or to the general public, or (ii) food or drink provided in se of official City business and having a retail value of less than \$25 per recipient, or (iii) a contribution otherwise duly reported as required by law (if none, indicate with "N/A" or
n/a	As to any gift listed below, please also list the name of the City recipient.
C. CER	TIFICATION OF STATUS AS FINANCIAL INSTITUTION
	Disclosing Party certifies that the Disclosing Party (check one)  ] is [x] is not
a "fin	ancial institution" as defined in MCC Section 2-32-455(b).
2. If the	Disclosing Party IS a financial institution, then the Disclosing Party pledges:
pledge th MCC Ch	not and will not become a predatory lender as defined in MCC Chapter 2-32. We further last none of our affiliates is, and none of them will become, a predatory lender as defined in lapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a y lender may result in the loss of the privilege of doing business with the City."

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

believe has not provided or cannot provide truthful certifications.

MCC Section 2-32	• •	c because it or any of its affiliates (as defined in thin the meaning of MCC Chapter 2-32, explain
	" the word "None," or no response amed that the Disclosing Party cert	e appears on the lines above, it will be tified to the above statements.
D. CERTIFICAT	ION REGARDING FINANCIAL	INTEREST IN CITY BUSINESS
Any words or tern	ns defined in MCC Chapter 2-156	have the same meanings if used in this Part D.
after reasonable in		the best of the Disclosing Party's knowledge ree of the City have a financial interest in his or entity in the Matter?
[ ] Yes	[× ] No	
	ecked "Yes" to Item D(1), proceed Items D(2) and D(3) and proceed	I to Items D(2) and D(3). If you checked "No" to Part E.
official or employed other person or entaxes or assessment "City Property Sal	ee shall have a financial interest in tity in the purchase of any property its, or (iii) is sold by virtue of lega	bidding, or otherwise permitted, no City elected his or her own name or in the name of any y that (i) belongs to the City, or (ii) is sold for I process at the suit of the City (collectively, iken pursuant to the City's eminent domain the meaning of this Part D.
Does the Matter in	volve a City Property Sale? NA	
[ ] Yes	[*] No-	
		ames and business addresses of the City officials tify the nature of the financial interest:
Name	Business Address	Nature of Financial Interest
-	g Party further certifies that no prob	hibited financial interest in the Matter will be

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# E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
x 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
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 N/A
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined

by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

		Party must maintain all such subcontractors' certifications for the ce such certifications promptly available to the City upon request.
B. CERTI	FICATION REGARDIN	G EQUAL EMPLOYMENT OPPORTUNITY N/A
If the N	tors to submit the followi	federal regulations require the Applicant and all proposed ng information with their bids or in writing at the outset of
Is the Disc	losing Party the Applican	t?
[]Yes		
If "Yes," a	nswer the three questions	below:
· .	ulations? (See 41 CFR Pa	have on file affirmative action programs pursuant to applicable art 60-2.)
Complianc		porting Committee, the Director of the Office of Federal Contract Employment Opportunity Commission all reports due under the
[_]_Yes		[] Reports not required
•	ou participated in any pre- rtunity clause?	vious contracts or subcontracts subject to the
[ ] Yes	[ ] No	
If you chec	ked "No" to question (1)	or (2) above, please provide an explanation:
-		

### SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

## **CERTIFICATION**

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

MC ASB 939 Fulton, LLC
(Print or type exact legal name of Disclosing Party)
By: (Sign here)
Nicolas Franzetti
(Print or type name of person signing)
Vice President
(Print or type title of person signing)
Signed and sworn to before me on (date) July 3, 2617, at MONTGOMERY County, MARYLAND (state).
Notary Public STAP 10 TAP 10 E
Commission expires: 08/27/19

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

# FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

[x] No

<b>L</b> 3		
which such perso	on is connected; (3) the	name and title of such person, (2) the name of the legal entity to name and title of the elected city official or department head to onship, and (4) the precise nature of such familial relationship.
1		

[ ] Yes

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to MCC Section 2-154-010, is the Applicant or any Owner is scofflaw or problem landlord pursuant to MCC Section 2-92-416?	dentified as a building code
[ ] Yes [x] No	
2. If the Applicant is a legal entity publicly traded on any exchange, is at the Applicant identified as a building code scofflaw or problem landlord page 2-92-416?	
[ ] Yes [ ] No [*] The Applicant is not publicly	y traded on any exchange.
3. If yes to (1) or (2) above, please identify below the name of each personal as a building code scofflaw or problem landlord and the address of each the pertinent code violations apply.	

# **EXHIBIT A**

President - Robert Bellinger
Vice President and initial Treasurer — David T. Quigley
Vice President — H. James Darcey
Vice President — Nicolas Franzetti
Vice President — Lawrence Braithwaite

Member: MC ASB Fulton Market Holdings, LLC

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

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A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
MC ASB Fulton Market Holdings, LLC
Check ONE of the following three boxes:
Indicate whether the Disclosing Party submitting this EDS is:  1. [] the Applicant OR 2. [x] a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name:  MC ASB 939 Fulton, LLC OR
3. [ ] a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1))  State the legal name of the entity in which the Disclosing Party holds a right of control:
B. Business address of the Disclosing Party: 7501 Wisconsin Avenue, Suite 1300W
Bethesda, MD 20814
C. Telephone: 212-759-2350 Fax: 212-759-8980 Email: cm@mcapny.com
D. Name of contact person: Christian Mejia
E. Federal Employer Identification No. (if you have one):
F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):
Approval of a Class L Property Tax Incentive for the property located at 933-943 West Fulton Market, Chicago, IL
G. Which City agency or department is requesting this EDS? Department of Planning and Development
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #

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

# A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [ ] Person [x] Limited liability company [ ] Limited liability partnership [ ] Publicly registered business corporation 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))? [ ] Yes [ ] No [ ] Limited partnership [ ] Trust Other (please specify) 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Delaware 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? [ ] Yes [x] No [ ] Organized in Illinois B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant. **NOTE**: Each legal entity listed below must submit an EDS on its own behalf. Name Title See attached Exhibit A

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

Name	Business Address	Percentage In	iterest in the	Applicant
ASB Fulton Market Holdings LLC	7501 Wisconsin Ave., #1300W, Bethesda, MD 20814	_		
SECTION III INCO OFFICIALS	ME OR COMPENSATION TO, OR	OWNERSH	IIP BY, CIT	Y ELECTEI
Has the Disclosing Party 12-month period precedi	provided any income or compensation ng the date of this EDS?	ı to any City e	elected offici	al during the [x] No
	y reasonably expect to provide any inc e 12-month period following the date of			ny City [*] No
If "yes" to either of the aldescribe such income or	bove, please identify below the name(s compensation:	of such City	elected office	cial(s) and
inquiry, any City elected	ficial or, to the best of the Disclosing F official's spouse or domestic partner, I nicipal Code of Chicago ("MCC")) in [x] No	have a financi	al interest (as	
	pelow the name(s) of such City elected	official(s) an	dlar enaucale	\/domestic

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none,

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)			
[x] Check here if the Disc	closing Party	y has not retained, nor expects to re-	tain, any such persons or entities.
SECTION V CERTIF	FICATION	S	
A. COURT-ORDERED	CHILD SU	PPORT COMPLIANCE	
	-	antial owners of business entities the support obligations throughout the	
	•	ectly owns 10% or more of the Disc tions by any Illinois court of compe	9 -
[]Yes []No [x]]	No person d	irectly or indirectly owns 10% or m	nore of the Disclosing Party.
If "Yes," has the person en		a court-approved agreement for pay agreement?	ment of all support owed and
[ ] Yes [ ] No			
B. FURTHER CERTIFIC	CATIONS		
Procurement Services.] In Party nor any Affiliated E performance of any public inspector general, or integ investigative, or other sim activity of specified agence	n the 5-year intity [see do contract, the compliant compliant in the compliant in the compliant is a contract, the compliant is a contract in the contract in	he Matter is a contract being handled period preceding the date of this Electinition in (5) below] has engaged, the services of an integrity monitor, ance consultant (i.e., an individual of designated by a public agency to help as well as help the vendors reform the test in the future, or continue with a contract of the services.	DS, neither the Disclosing in connection with the independent private sector or entity with legal, auditing, p the agency monitor the heir business practices so they

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2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1)/bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
<ol> <li>The Disclosing Party certifies that the Disclosing Party (check one)</li> <li>is [x] is not</li> </ol>
a "financial institution" as defined in MCC Section 2-32-455(b).
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

MCC Section 2-3	<del>_</del>	edge because it or any of its affiliates (as defined in within the meaning of MCC Chapter 2-32, explain
	<del>-</del>	onse appears on the lines above, it will be certified to the above statements.
D. CERTIFICAT	ION REGARDING FINANCI	AL INTEREST IN CITY BUSINESS
Any words or terr	ns defined in MCC Chapter 2-	156 have the same meanings if used in this Part D.
after reasonable in		To the best of the Disclosing Party's knowledge ployee of the City have a financial interest in his or a or entity in the Matter?
[ ] Yes	[× ] No	
	necked "Yes" to Item D(1), pro Items D(2) and D(3) and proc	ceed to Items D(2) and D(3). If you checked "No" eed to Part E.
official or employ other person or en taxes or assessment "City Property Sa	ee shall have a financial intere tity in the purchase of any prop nts, or (iii) is sold by virtue of le"). Compensation for proper	tive bidding, or otherwise permitted, no City elected st in his or her own name or in the name of any perty that (i) belongs to the City, or (ii) is sold for legal process at the suit of the City (collectively, ty taken pursuant to the City's eminent domain hin the meaning of this Part D.
Does the Matter in	ivolve a City Property Sale?	
[ ] Yes	[×] No	
		ne names and business addresses of the City officials dentify the nature of the financial interest:
Name	Business Address	Nature of Financial Interest
	g Party further certifies that no ity official or employee.	prohibited financial interest in the Matter will be

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## E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
x 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
SECTION VI – CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS
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 N/A
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pa

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee Ver. 2017-1

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

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

Is the Disclosing Party	the Applicant?	
[ ] Yes	[ ] No	
If "Yes," answer the thr	ee questions be	elow:
<ol> <li>Have you developed federal regulations? (S</li> <li>Yes</li> </ol>	•	ave on file affirmative action programs pursuant to applicable t 60-2.)
Compliance Programs, applicable filing require	or the Equal Enements?	orting Committee, the Director of the Office of Federal Contract mployment Opportunity Commission all reports due under the
[ ] Yes	[]No	[] Reports not required
3. Have you participate equal opportunity claus	• •	ous contracts or subcontracts subject to the
[ ] Yes	[ ] No	
If you checked "No" to	question (1) or	(2) above, please provide an explanation:

#### SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

#### **CERTIFICATION**

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

: .	MC ASB Fulton Market Holdings, LLC	
.•	(Print or type exact legal name of Disclosing Party)	
· .	By:	
	(Sign here)	
	Nicolas Franzetti	
	(Print or type name of person signing)	
	Vice President	
	(Print or type title of person signing)	
	Signed and sworn to before me on (date) July 3, 2017	·
	at MONTGOMERY County, MARYLAND (state).	
	null de la constant d	ALY T. D.
۲	Notary Public	OTAS
٠.		
•	Commission expires: 08/29/19	OBY TO SE

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

[ ] Yes	[*] No	
which such person	is connected; (3) the nam	e and title of such person, (2) the name of the legal entity to ne and title of the elected city official or department head to p, and (4) the precise nature of such familial relationship.

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

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

_	,	•	•		**	
	Pursuant to MCC Section of the secti	•		•	Owner identified as a building code 6?	
	[ ] Yes	[ x] No				
the			•	•	ange, is any officer or director of landlord pursuant to MCC Section	
	[ ] Yes	[ ] No	[x] The Applic	ant is no	ot publicly traded on any exchange.	
as a		v or problem la	•		each person or legal entity identified of each building or buildings to which	1.

## **EXHIBIT A**

President - Robert Bellinger
Vice President and initial Treasurer - David T. Quigley
Vice President - H. James Darcey
Vice President - Nicolas Franzetti
Vice President - Lawrence Braithwaite

#### Members:

ASB Fulton Market Holdings, LLC – 96% Member MC Fulton Investor I LLC – 3.99% Member MC Fulton Investor II LLC - .01%

## CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

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

MC Fulton Investor II LLC			
Check ONE of the follow	wing three boxes:		
Indicate whether the Disc 1. [ ] the Applicant OR	losing Party submitti	ng this EDS is:	
the contract, transaction of "Matter"), a direct or indiname: MC ASB 939 Fulton, LLC	or other undertaking t	o which this EDS	within six months after City action or pertains (referred to below as the oplicant. State the Applicant's legal
OR 3. [] a legal entity w State the legal name of th		_	of the Applicant (see Section II(B)(1)) olds a right of control:
B. Business address of th	e Disclosing Party:	55 E. 59th Street, 17th	n Floor
		New York, NY 10022	
C. Telephone: 212-759-2350	Fax: 212-	759-8980	Email: cm@mcapny.com
D. Name of contact perso	n: Christian Mejla		_
E. Federal Employer Iden	ntification No. (if you	have one):	
F. Brief description of the property, if applicable):	e Matter to which thi	s EDS pertains. (I	nclude project number and location o
Approval of a Class L Property Tax In	centive for the property locat	ed at 933-943 West Fulton	Market, Chicago, IL
G. Which City agency or	department is reques	ting this EDS?	Department of Planning and Development
If the Matter is a contract complete the following:	being handled by the	City's Departmen	t of Procurement Services, please
Specification #	n/a	and Contract # _	n/a
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#### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [] Person [8] Limited liability company [ ] Publicly registered business corporation [ ] Limited liability partnership [ ] Privately held business corporation [] Joint venture [] Sole proprietorship [] Not-for-profit corporation [] General partnership (Is the not-for-profit corporation also a 501(c)(3))? [ ] Limited partnership []Yes []No [] Trust [] Other (please specify) For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Delaware 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? [] Yes [x] No [] N/A B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: 1. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s). If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf. Name Title Richard Wagman **General Partner** J. Joseph Jacobson 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.

S5 E. 59th Street, 17th Floor Disclosing Party Richard Wagman New York, NY 10022 80%
55 E. 59th Street, 17th Floor  J. Joseph Jacobson New York, NY 10022 20%

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

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

[]Yes	[x] No	
If yes, please iden relationship(s):	tify below the name(s) of s	such City elected official(s) and describe such
· · · · · · · · · · · · · · · · · · ·		

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

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

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

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

Name (indicate whether retained or anticipated to be retained)	r 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	')	<del></del>	
[k] Check here if the Dis	closing Party be	as not retained, nor expects to retain	, any such persons or entitie
SECTION V CERTI	FICATIONS		•
A. COURT-ORDERED	CHILD SUPPO	ORT COMPLIANCE	
		415, substantial owners of business a their child support obligations thro	
- <del>-</del>	•	y owns 10% or more of the Disclosi ns by any Illinois court of competen	<del>-</del>
[] Yes [k] N	~ ~	person directly or indirectly owns i closing Party.	10% or more of the
If "Yes," has the person of is the person in complian		ourt-approved agreement for payment eement?	nt of all support owed and
[] Yes [] N	Го		
B. FURTHER CERTIFIC	CATIONS		
consult for defined terms submitting this EDS is the certifies as follows: (i) ne	(e.g., "doing but Applicant and ither the Applic	ter 1-23, Article I ("Article I")(which is iness") and legal requirements), if is doing business with the City, the ant nor any controlling person is cu- been convicted of, or placed under	the Disclosing Party n the Disclosing Party rrently indicted or charged

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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 state	ments in this Part B (Further
Certifications), the Disclosing Party must explain below: None	

presumed that the Disclosing Party certified to the above statements.	metusively
8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following complete list of all current employees of the Disclosing Party who were, at any time during month period preceding the execution date of this EDS, an employee, or elected or appointe of the City of Chicago (if none, indicate with "N/A" or "none").  None	the 12-
9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following complete list of all gifts that the Disclosing Party has given or caused to be given, at any time 12-month period preceding the execution date of this EDS, to an employee, or elected or approficial, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) made generally available to City employees or to the general public, or (ii) food or drink procourse of official City business and having a retail value of less than \$20 per recipient (if not with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipione	e during the cointed anything vided in the ne, indicate
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 Munici Code. We further pledge that none of our affiliates is, and none of them will become, a predatender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatender or becoming an affiliate of a predatory lender may result in the loss of the privilege of business with the City."	itory edatory
If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defin Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chap 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 sort

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

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

[] Yes [\*] No

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

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

Does the Matter involve a City Property Sale?

[] Yes [x] No

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

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
x 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
SECTION VI CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS
NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.
A. CERTIFICATION REGARDING LOBBYING N/A
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):  n/a
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities 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.

_	arty will submit an updated certification at the end of each calendar quarter in event that materially affects the accuracy of the statements and information set and A.2. above.
501(c)(4) of the Internal	Revenue Code of 1986; or (ii) it is not an organization described in section Revenue Code of 1986; or (ii) it is an organization described in section Revenue Code of 1986 but has not engaged and will not engage in "Lobbying"
form and substance to pa subcontract and the Disc	Party is the Applicant, the Disclosing Party must obtain certifications equal in ragraphs A.1. through A.4. above from all subcontractors before it awards any osing Party must maintain all such subcontractors' certifications for the d must make such certifications promptly available to the City upon request.
B. CERTIFICATION RI	EGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A
-	funded, federal regulations require the Applicant and all proposed the following information with their bids or in writing at the outset of
Is the Disclosing Party the	Applicant?
[]Yes	[ ] No
If "Yes," answer the three	questions below:
<ol> <li>Have you develope federal regulations? (See [] Yes</li> </ol>	d and do you have on file affirmative action programs pursuant to applicable 41 CFR Part 60-2.) [] No
2. Have you filed with	the Joint Reporting Committee, the Director of the Office of Federal rams, or the Equal Employment Opportunity Commission all reports due
3. Have you participat equal opportunity clause?	ed in any previous contracts or subcontracts subject to the
[] Yes	[] 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.

MC Fulton	investor ii LLC
(Print or	type name of Disclosing Party)
Ву:	MA
(S J. Joseph Ja	Signmen
(Print or	type name of person signing)
General Pa	rtner
(Print or	type title of person signing)

Signed and sworn to before me on (date) <u>June 13, 2017</u>, at <u>New Yor K</u> County, <u>New Yor K</u> (state).

— Notary Public

Commission expires: Aug 1 d, NIF.

TAYLOR M. PEDERSE'IN
Notary Public - State of New York
No. 01PE6287522
Qualified in Queens County
My Commission Explies Arguet 17 2017

## 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 ] No	
such person is connect	ted; (3) the name and title of t	le of such person, (2) the name of the legal entity to which the elected city official or department head to whom such se nature of such familial relationship.

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

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1.			Applicant or any Owner identified as a to Section 2-92-416 of the Municipal
	Yes	x No	į
2.	If the Applicant is a leg the Applicant identified 2-92-416 of the Munici	i as a building code scofflaw or	exchange, is any officer or director of problem landlord pursuant to Section
	Yes	No	x Not Applicable
<b>3.</b>	identified as a building	e, please identify below the nar code scofflaw or problem landl pertinent code violations apply.	me of the person or legal entity lord and the address of the building or
			,

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

## **CITY OF CHICAGO** ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

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

A. Legal name of the Disclosin	g Party submitti	ng this EDS. Incl	ude d/b/a/ if applicable:
ASB Fulton Market Holdings, LLC		- 14 - 14 - 14 - 14 - 14 - 14 - 14 - 14	
Check ONE of the following t	hree boxes:		
the contract, transaction or othe	ly holding, or an	ticipated to hold which this EDS p	within six months after City action on pertains (referred to below as the plicant. State the Applicant's legal
		_	f the Applicant (see Section II(B)(1)) olds a right of control:
B. Business address of the Disc	losing Party:	7501 Wisconsin Avenu	e, Suite 1300W
		Bethesda, MD 20814	
C. Telephone: 212-759-2350	Fax: 212-75	9-8980	Email: cm@mcapny.com
D. Name of contact person:Ch	ristian Mejia		
E. Federal Employer Identification	tion No. (if you	have one):/	;   
F. Brief description of the Matt property, if applicable):	er to which this	EDS pertains. (Ir	nclude project number and location of
Approval of a Class L Property Tax Incentive f	or the property located	d at 933-943 West Fulton	Market, Chicago, IL
G. Which City agency or depart	tment is requesti	ng this EDS?	Department of Planning and Development
If the Matter is a contract being complete the following:	handled by the (	City's Department	of Procurement Services, please
Specification #n/a	·····	and Contract # _	n/a
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#### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

## A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [ ] Person [x] Limited liability company [ ] Limited liability partnership [ ] Publicly registered business corporation [ ] Joint venture [ ] Privately held business corporation [ ] Sole proprietorship [ ] Not-for-profit corporation [ ] General partnership (Is the not-for-profit corporation also a 501(c)(3))? [ ] Limited partnership []Yes [ ] No [ ] Other (please specify) [ ] Trust 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Delaware 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? [ ] Yes [x] No [ ] Organized in Illinois B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant. NOTE: Each legal entity listed below must submit an EDS on its own behalf. Name Title See attached Exhibit A ASB Allegiance Investments, LLC Member

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

NOTE. Each le	gai entity listed below may be requi	ired to submit an EDS on its own behal	II.
Name ASB Allegiance Invest	Business Address ments, LLC 7501 Wisconsin Avenue, #1300W, Betl	Percentage Interest in the A	Applicant
SECTION III - OFFICIALS	INCOME OR COMPENSATIO	ON TO, OR OWNERSHIP BY, CITY	Y ELECTED
	ing Party provided any income or cod preceding the date of this EDS?	ompensation to any City elected officia [ ] Yes	l during the [x] No
	sing Party reasonably expect to prov during the 12-month period following	vide any income or compensation to an ng the date of this EDS? [] Yes	y City [×] No
	of the above, please identify below come or compensation:	the name(s) of such City elected office	ial(s) and
			· · · · · · · · · · · · · · · · · · ·
inquiry, any City		Disclosing Party's knowledge after reastic partner, have a financial interest (as MCC")) in the Disclosing Party?	
	dentify below the name(s) of such (escribe the financial interest(s).	City elected official(s) and/or spouse(s)	/domestic

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none,

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)			
[x] Check here if the Disc	closing Party	y has not retained, nor expects to re	tain, any such persons or entities.
SECTION V CERTII	FICATION	S	
A. COURT-ORDERED	CHILD SU	PPORT COMPLIANCE	
	-	antial owners of business entities the support obligations throughout the	——————————————————————————————————————
	•	ectly owns 10% or more of the Disc tions by any Illinois court of compe	<b>.</b>
[]Yes []No [x]	No person d	irectly or indirectly owns 10% or m	ore of the Disclosing Party.
If "Yes," has the person e is the person in complian		a court-approved agreement for payagreement?	ment of all support owed and
[ ] Yes [ ] No			
B. FURTHER CERTIFIC	CATIONS		
Procurement Services.] In Party nor any Affiliated Experior performance of any public inspector general, or integrity investigative, or other simple services.	n the 5-year chity [see de contract, the grity compliant in the compliant in the compliant is the compliant in the compliant is the compliant	the Matter is a contract being handled period preceding the date of this Elefinition in (5) below] has engaged, the services of an integrity monitor, ance consultant (i.e., an individual of the signated by a public agency to help the vendors reform the	DS, neither the Disclosing in connection with the independent private sector or entity with legal, auditing, p the agency monitor the

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2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

can be considered for agency contracts in the future, or continue with a contract in progress).

- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:    Disclosing Party   Disclosing Party
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
<ol> <li>The Disclosing Party certifies that the Disclosing Party (check one)</li> <li>is [x] is not</li> </ol>
a "financial institution" as defined in MCC Section 2-32-455(b).
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

MCC Section 2-3	, i	in the meaning of MCC Chapter 2-32, explain
n/a	monar pages ir necessary).	
	.," the word "None," or no response a sumed that the Disclosing Party certification.	• •
D. CERTIFICAT	TION REGARDING FINANCIAL I	NTEREST IN CITY BUSINESS
Any words or ter	ms defined in MCC Chapter 2-156 h	ave the same meanings if used in this Part D.
after reasonable i		ne best of the Disclosing Party's knowledge to of the City have a financial interest in his or natity in the Matter?
[ ] Yes	[× ] No	
<del>-</del>	hecked "Yes" to Item D(1), proceed to Items D(2) and D(3) and proceed to	to Items D(2) and D(3). If you checked "No" Part E.
official or employ other person or er taxes or assessme "City Property Sa	yee shall have a financial interest in latity in the purchase of any property ents, or (iii) is sold by virtue of legal	idding, or otherwise permitted, no City elected his or her own name or in the name of any that (i) belongs to the City, or (ii) is sold for process at the suit of the City (collectively, en pursuant to the City's eminent domain e meaning of this Part D.
Does the Matter i	nvolve a City Property Sale? N/A	
[ ] Yes	. <del>[*] No</del>	
	d "Yes" to Item D(1), provide the nating such financial interest and identi	nes and business addresses of the City officials fy the nature of the financial interest:
Name	Business Address	Nature of Financial Interest
	ng Party further certifies that no prohibits official or employee.	bited financial interest in the Matter will be

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#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.					
x 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.					
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:					
•					
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 N/A					
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):					
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)					
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined					

by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

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

Is the Disclosing Party the	Applicant?	
[ ] Yes	[ ] No	
If "Yes," answer the three	questions be	clow:
Have you developed ar federal regulations? (See [ ] Yes		ave on file affirmative action programs pursuant to applicable t 60-2.)
<del>-</del>	the Equal En	rting Committee, the Director of the Office of Federal Contract mployment Opportunity Commission all reports due under the
[ ] Yes	[ ] No	[] Reports not required
3. Have you participated in equal opportunity clause?	in any previo	ous contracts or subcontracts subject to the
[ ] Yes	[ ] No	
If you checked "No" to que	estion (1) or	(2) above, please provide an explanation:
	<del></del>	

#### SECTION VII - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

#### **CERTIFICATION**

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

ASB Fulton Market Holdings, LLC	
(Print or type exact legal name of Disclosing	g Party)
Ву:	
(Sign here)	
NICOLAS FRANZETTI	······
(Print or type name of person signing)	
VICE PRESIDENT	
(Print or type title of person signing)	
Signed and sworn to before me on (date) at Montgomery County, Maryland	•
Norary Tublic	OTARLY T. DUONING
Commission expires: 68/27/19	AUBLO A SECTION OF THE PROPERTY CONTROL OF THE PROPERT

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

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

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

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

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

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

[x] No

which s	such person is	tify below (1) connected; (3) as a familial rel	the name and	title of the ele	cted city offic	ial or departm	ent head to

to

[ ] Yes

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

## BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

## **EXHIBIT A**

President - Robert Bellinger Senior Vice President - David T. Quigley Senior Vice President - H. James Darcey Vice President - Brodie Ruland Vice President - Lawrence Braithwaite Vice President - Hanneke Talbot Vice President - Nicolas Franzetti

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

A. Legal name of th	e Disclosing Par	ty submitting this EDS. Incl	ude d/b/a/ if applicable:
ASB Allegiance Investments	, LLC		
Check ONE of the	following three	boxes:	
<ol> <li>[ ] the Appli OR /</li> <li>[x] a legal en the contract, transac</li> </ol>	cant tity currently hol tion or other under indirect interest	ertaking to which this EDS pe	vithin six months after City action on ertains (referred to below as the blicant. State the Applicant's legal
3. [] a legal en	•	or indirect right of control of which the Disclosing Party ho	the Applicant (see Section II(B)(1)) lds a right of control:
B. Business address	of the Disclosing	g Party: 7501 Wisconsin Ave., Su	uite 1300W
		Bethesda, MD 20814	1,111,7,111,7,111
C. Telephone: 212-75	9-2350	Fax: 212-759-8980	Email: cm@mcapny.com
D. Name of contact	person: Christian	Mejia	
E. Federal Employe	r Identification N	lo. (if you have one):	
F. Brief description property, if applicab		which this EDS pertains. (In	clude project number and location of
Approval of a Class L Propert	y Tax Incentive for the p	roperty located at 933-943 West Fulton P	Market, Chicago, IL
G. Which City agend	cy or department	is requesting this EDS?	Department of Planning and Development
If the Matter is a concomplete the following	_	ed by the City's Department	of Procurement Services, please
Specification #	n/a	and Contract #	n/a
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#### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [x] Limited liability company [ ] Person [ ] Publicly registered business corporation [ ] Limited liability partnership [ ] Privately held business corporation [ ] Joint venture [ ] Sole proprietorship [ ] Not-for-profit corporation [ ] General partnership (Is the not-for-profit corporation also a 501(c)(3))? [ ] Limited partnership [ ] Yes [ ] No [ ] Trust [ ] Other (please specify) 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? []Yes [x] No [ ] Organized in Illinois B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant. **NOTE**: Each legal entity listed below must submit an EDS on its own behalf. Title Name See attached Exhibit A

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

Name ASB Allegiance Real E	Business Address state Fund, LP 7501 Wisconsin Ave., #1300W, Bethe	_	e Interest in the	Applicant
SECTION III - OFFICIALS	INCOME OR COMPENSATION	N TO, OR OWNER	RSHIP BY, CIT	Y ELECTED
	ing Party provided any income or cord preceding the date of this EDS?	mpensation to any C	ity elected offici	al during the [x] No
	sing Party reasonably expect to providuring the 12-month period following			ny City [×] No
•	of the above, please identify below to come or compensation:	the name(s) of such	City elected office	cial(s) and
inquiry, any Cit Chapter 2-156 o [ ] Yes If "yes," please	lected official or, to the best of the D y elected official's spouse or domesti f the Municipal Code of Chicago ("M  [*] No  identify below the name(s) of such C escribe the financial interest(s).	ic partner, have a find MCC")) in the Disclo	ancial interest (assing Party?	s defined in

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none,

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

state "None."

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)			
[x] Check here if the Disc	closing Part	y has not retained, nor expects to re	tain, any such persons or entities.
SECTION V CERTIF	FICATION	S	
A. COURT-ORDERED	CHILD SUI	PPORT COMPLIANCE	
		antial owners of business entities the support obligations throughout the	<b>-</b>
		ectly owns 10% or more of the Disc tions by any Illinois court of compe	
[]Yes []No [*]]	No person d	irectly or indirectly owns 10% or m	ore of the Disclosing Party.
If "Yes," has the person en is the person in compliance		a court-approved agreement for payagreement?	ment of all support owed and
[ ] Yes			
B. FURTHER CERTIFIC	CATIONS		
Procurement Services.] In Party nor any Affiliated E performance of any public inspector general, or integ investigative, or other sim	n the 5-year intity [see do contract, the compliant compliant in the complex in the c	he Matter is a contract being handled period preceding the date of this Election in (5) below] has engaged, the services of an integrity monitor, in ance consultant (i.e., an individual of designated by a public agency to help as well as help the vendors reform the	OS, neither the Disclosing in connection with the independent private sector or entity with legal, auditing, p the agency monitor the

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

can be considered for agency contracts in the future, or continue with a contract in progress).

- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:  //a
,
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusivel presumed that the Disclosing Party certified to the above statements.
12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the Cit of Chicago (if none, indicate with "N/A" or "none").
the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointe official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
<ol> <li>The Disclosing Party certifies that the Disclosing Party (check one)</li> <li>is [x] is not</li> </ol>
a "financial institution" as defined in MCC Section 2-32-455(b).
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a

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

believe has not provided or cannot provide truthful certifications.

predatory lender may result in the loss of the privilege of doing business with the City."

MCC Section 2-3 here (attach addit		ge because it or any of its affiliates (as defined in ithin the meaning of MCC Chapter 2-32, explain
n/a		
-	"," the word "None," or no respons umed that the Disclosing Party ce	se appears on the lines above, it will be extified to the above statements.
D. CERTIFICAT	TION REGARDING FINANCIA	L INTEREST IN CITY BUSINESS
Any words or terr	ms defined in MCC Chapter 2-15	6 have the same meanings if used in this Part D.
after reasonable in		o the best of the Disclosing Party's knowledge byee of the City have a financial interest in his or rentity in the Matter?
[ ] Yes	[× ] No	
· · · · · · · · · · · · · · · · · · ·	necked "Yes" to Item D(1), proceduted thems D(2) and D(3) and proceed	ed to Items D(2) and D(3). If you checked "No" d to Part E.
official or employ other person or en taxes or assessmen "City Property Sal	ee shall have a financial interest tity in the purchase of any proper nts, or (iii) is sold by virtue of leg	e bidding, or otherwise permitted, no City elected in his or her own name or in the name of any ty that (i) belongs to the City, or (ii) is sold for all process at the suit of the City (collectively, taken pursuant to the City's eminent domain the meaning of this Part D.
Does the Matter in	volve a City Property Sale?	
[ ] Yes	-[x] NO N/A	
		names and business addresses of the City officials ntify the nature of the financial interest:
Name	Business Address	Nature of Financial Interest
· · · · · · · · · · · · · · · · · · ·	g Party further certifies that no prity official or employee.	ohibited financial interest in the Matter will be

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#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.		
<u>x</u> 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.		
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:		
SECTION VI CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS		
SECTION VI - CERTIFICATIONS FOR FEDERALLI 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 N/A		
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):		
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)		
2. The Diederica Best has not exact a different form of the flow o		

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee Ver.2017-1

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

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	• •	
If "Yes," answer the three	questions bel	low:
Have you developed an federal regulations? (See [ ] Yes	•	ve on file affirmative action programs pursuant to applicable 60-2.)
_	the Equal En ents?	rting Committee, the Director of the Office of Federal Contract apployment Opportunity Commission all reports due under the  [] Reports not required
3. Have you participated a equal opportunity clause? [ ] Yes	in any previo	ous contracts or subcontracts subject to the
If you checked "No" to que	estion (1) or (	(2) above, please provide an explanation:
	·	

#### SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

#### **CERTIFICATION**

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

ASB Allegiance investments, LLC
(Print or type exact legal name of Disclosing Party)
By: Staller
(Sign here)
Hanneke Talbot
(Print or type name of person signing)
Treasurer
(Print or type title of person signing)
Signed and sworn to before me on (date) July 3, 2017,
at Montgomery County, Maryland (state).
HINGERLY TOWN
Notary Public NotAp 16
Commission expires: 08/27/19
N. CAY CO. LINE

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

# FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

[ ] Yes	[x] No	
which such person	is connected; (3) the nam	e and title of such person, (2) the name of the legal entity to ne and title of the elected city official or department head to p, and (4) the precise nature of such familial relationship.

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

[ ] Yes [x] No  2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?  [ ] Yes [ ] No [x] The Applicant is not publicly traded on any exchange.  3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.				, is the Applicant or any Owner identified as a building code o MCC Section 2-92-416?
the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?  [] Yes [] No [x] The Applicant is not publicly traded on any exchange.  3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which		[ ] Yes	[ x] No	
3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which	th	e Applicant identified as		
as a building code scofflaw or problem landlord and the address of each building or buildings to which		[ ] Yes	[ ] No	[x] The Applicant is not publicly traded on any exchange.
	as	a building code scofflav	w or problem	· · · · · · · · · · · · · · · · · · ·

# EXHIBIT A

Title	Title(Role)	Role: Start
ASB Allegiance Real Estate Fund, LP	Sole Member/Manage	r Member
Bellinger, Robert B.	President	Officer
Braithwaite, Lawrence	Vice President	Officer
Darcey, H. James	Senior Vice President	Officer
Quigley, David T.	Senior Vice President	Officer
Talbot, Hanneke	Treasurer	Officer

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

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A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
ASB Allegiance Real Estate Fund, LP
Check ONE of the following three boxes:
Indicate whether the Disclosing Party submitting this EDS is:  1. [] the Applicant OR  2. [x] a legal entity currently holding, or anticipated to hold within six months after City action of the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name:  MC ASB 939 Fulton, LLC  OR
OR  3. [] a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1)  State the legal name of the entity in which the Disclosing Party holds a right of control:
B. Business address of the Disclosing Party: 7501 Wisconsin Avenue, Suite 1300W
Bethesda, MD 20814
C. Telephone: 212-759-2350 Fax: 212-759-8980 Email: cm@mcapny.com
D. Name of contact person: Christian Mejia
E. Federal Employer Identification No. (if you have one)
F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):
Approval of a Class L Property Tax Incentive for the property located at 933-943 West Fulton Market, Chicago, IL
G. Which City agency or department is requesting this EDS? Department of Planning and Development
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #n/a

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

# A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [ ] Person [ ] Limited liability company [ ] Publicly registered business corporation [ ] Limited liability partnership Privately held business corporation [ ] Joint venture [ ] Sole proprietorship [ ] Not-for-profit corporation [ ] General partnership (Is the not-for-profit corporation also a 501(c)(3))? [x] Limited partnership [ ] Yes [ ] No [ ] Trust Other (please specify) 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Delaware 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? [ ] Yes [x] No [ ] Organized in Illinois B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant. **NOTE**: Each legal entity listed below must submit an EDS on its own behalf. Name Title ASB Allegiance Real Estate Partners GP, LLC Sole General Partner

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

**NOTE**: Each legal entity listed below may be required to submit an EDS on its own behalf. Name **Business Address** Percentage Interest in the Applicant ASB Allegiance Real Estate Partners GP LLC 7501 Wisconsin Avenue, #1300W, Bethesda, MD 20814 100% SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED **OFFICIALS** Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? [ ] Yes [x] No Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? [ ] Yes [x] No If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation: Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? [ ] Yes [x] No If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none,

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

state "None."

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)			
[x] Check here if the Disc	closing Party	y has not retained, nor expects to re	tain, any such persons or entities.
SECTION V CERTIF	FICATION	S	
A. COURT-ORDERED	CHILD SUI	PPORT COMPLIANCE	
		antial owners of business entities th I support obligations throughout the	
<b>* -</b>	•	ectly owns 10% or more of the Disc tions by any Illinois court of compe	<u> </u>
[]Yes []No [x]]	No person d	irectly or indirectly owns 10% or m	nore of the Disclosing Party.
If "Yes," has the person en is the person in compliance		a court-approved agreement for pay agreement?	ment of all support owed and
[ ] Yes [ ] No			
B. FURTHER CERTIFIC	CATIONS		
Procurement Services.] It Party nor any Affiliated E performance of any public inspector general, or integ investigative, or other sim	n the 5-year Entity [ <u>see</u> de c contract, th grity complianilar skills, d	the Matter is a contract being handled period preceding the date of this Elefinition in (5) below] has engaged, the services of an integrity monitor, ance consultant (i.e., an individual of the lesignated by a public agency to help well as help the vendors reform the	DS, neither the Disclosing in connection with the independent private sector or entity with legal, auditing, p the agency monitor the

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2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

can be considered for agency contracts in the future, or continue with a contract in progress).

- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:    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.
12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
<ol> <li>The Disclosing Party certifies that the Disclosing Party (check one)</li> <li>is [x] is not</li> </ol>
a "financial institution" as defined in MCC Section 2-32-455(b).
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

MCC Section 2-32	2-455(b)) is a predatory lender	lge because it or any of its affiliates (as defined in within the meaning of MCC Chapter 2-32, explain
,	onal pages if necessary):	
n/a		
		nse appears on the lines above, it will be certified to the above statements.
D. CERTIFICAT	ION REGARDING FINANCIA	AL INTEREST IN CITY BUSINESS
Any words or tern	ns defined in MCC Chapter 2-1	56 have the same meanings if used in this Part D.
after reasonable in		To the best of the Disclosing Party's knowledge loyee of the City have a financial interest in his or or entity in the Matter?
[ ] Yes	[x ] No	
	ecked "Yes" to Item D(1), proc Items D(2) and D(3) and proce	eed to Items D(2) and D(3). If you checked "No" ed to Part E.
official or employed other person or entaxes or assessmer "City Property Sal	ee shall have a financial interestity in the purchase of any propets, or (iii) is sold by virtue of le	ve bidding, or otherwise permitted, no City elected tin his or her own name or in the name of any erty that (i) belongs to the City, or (ii) is sold for egal process at the suit of the City (collectively, taken pursuant to the City's eminent domain in the meaning of this Part D.
Does the Matter in	volve a City Property Sale?	
[]Yes	[x] NO N/A	
		e names and business addresses of the City officials lentify the nature of the financial interest:
Name	Business Address	Nature of Financial Interest
_	g Party further certifies that no p ty official or employee.	prohibited financial interest in the Matter will be

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
SECTION VI CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS
NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.
A. CERTIFICATION REGARDING LOBBYING N/A
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any

person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

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?	
is the piscrosing I arry the applicant:	
[]Yes []No	
If "Yes," answer the three questions below:	
1. Have you developed and do you have on file affirmative action programs pursuant to applicab federal regulations? (See 41 CFR Part 60-2.)	le
[]Yes []No	
<ol> <li>Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Cont Compliance Programs, or the Equal Employment Opportunity Commission all reports due under tapplicable filing requirements?         <ul> <li>Yes</li> <li>No</li> <li>Reports not required</li> </ul> </li> </ol>	
3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?  [ ] Yes  [ ] No	
If you checked "No" to question (1) or (2) above, please provide an explanation:	

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#### SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

#### **CERTIFICATION**

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

ASB Allegiance Real Estate Fund, LP, by ASB Allegiance Real Estate Partners GP,LLC, its general partner

(Print or type exact legal name of Disclosing I	Party)
By: #albor	<u></u>
(Sign here)	
HANNEKE TALBOT	
(Print or type name of person signing)	
PERSULEL (Print of the state of	
(Print or type title of person signing)	
Signed and sworn to before me on (date) Jul	у 3, 2017,
at Montgomery County, MARYLAND	(state).
Turk I	RIVITALY T. DUO
Notary Public	OTARLO
Commission expires: 68 27 19	AUBLANCE OF THE PROPERTY CONTINUES OF THE PR
	walling,

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

# FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

[x] No

[ ] 103	[~] 110	
which such person	is connected; (3) the nar	me and title of such person, (2) the name of the legal entity to me and title of the elected city official or department head to hip, and (4) the precise nature of such familial relationship.

[ ] Vec

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I -- GENERAL INFORMATION**

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A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
ASB Allegiance Real Estate Partners GP, LLC
Check ONE of the following three boxes:
Indicate whether the Disclosing Party submitting this EDS is:  1. [ ] the Applicant OR
2. [x] a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name: MC ASB 939 Fulton, LLC
OR 3. [] a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1)) State the legal name of the entity in which the Disclosing Party holds a right of control:
B. Business address of the Disclosing Party:
C. Telephone: Email:
D. Name of contact person:
E. Federal Employer Identification No. (if you have one): None
F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):
Approval of a Class L Property Tax Incentive for the property located at 933-943 West Fulton Market, Chicago, IL
G. Which City agency or department is requesting this EDS?
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #n/a

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

# A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party: [ ] Person [x] Limited liability company [ ] Limited liability partnership [ ] Publicly registered business corporation Privately held business corporation [ ] Joint venture [ ] Sole proprietorship [ ] Not-for-profit corporation [ ] General partnership (Is the not-for-profit corporation also a 501(c)(3))? [ ] Limited partnership [ ] Yes []No [ ] Other (please specify) [ ] Trust 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable: Delaware 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity? ] Yes [x] No [ ] Organized in Illinois B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY: List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant. **NOTE**: Each legal entity listed below must submit an EDS on its own behalf. Title Name See attached Exhibit A

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

Name ASB Capital Management LLC	Business Address 7501 Wisconsin Avenue, #1300W, Bet		age Interest in the	Applicant
				<u> </u>
SECTION III INCO OFFICIALS	ME OR COMPENSATION	TO, OR OWN	ERSHIP BY, CIT	Y ELECTED
Has the Disclosing Party	y provided any income or con	npensation to any	City elected offici	al during the
12-month period preced	ing the date of this EDS?		[ ] Yes	[x] No
elected official during th	ty reasonably expect to providue 12-month period following above, please identify below the compensation:	the date of this E	EDS? [] Yes	[×] No
·				<u> </u>
inquiry, any City elected	fficial or, to the best of the Di d official's spouse or domestic unicipal Code of Chicago ("M [x] No	partner, have a f	inancial interest (a	
If "yes," please identify partner(s) and describe t	below the name(s) of such Cithe financial interest(s).	ty elected official	(s) and/or spouse(s	d)/domestic
SECTION IV DISCI	LOSURE OF SUBCONTRA	CTORS AND C	THER RETAINI	ED PARTIES
The Disclosing Party mu	ast disclose the name and busi	ness address of e	ach subcontractor.	attorney,

lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none,

state "None."

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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)		
[x] Check here if the Disclosing Par	ty has not retained, nor expects to re	tain, any such persons or entities.
SECTION V CERTIFICATION	NS	
A. COURT-ORDERED CHILD SU	JPPORT COMPLIANCE	
	tantial owners of business entities the days are the support obligations throughout the	
Has any person who directly or indiarrearage on any child support oblig	•	_ ·
[ ] Yes [ ] No [x] No person	directly or indirectly owns 10% or n	nore of the Disclosing Party.
If "Yes," has the person entered into is the person in compliance with tha		ment of all support owed and
[ ] Yes [ ] No		
B. FURTHER CERTIFICATIONS	<b>,</b>	
1. [This paragraph 1 applies only if Procurement Services.] In the 5-year Party nor any Affiliated Entity [see of performance of any public contract, inspector general, or integrity compliance investigative, or other similar skills, activity of specified agency vendors	r period preceding the date of this E definition in (5) below] has engaged, the services of an integrity monitor, iance consultant (i.e., an individual designated by a public agency to help	DS, neither the Disclosing, in connection with the independent private sector or entity with legal, auditing, lp the agency monitor the

can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

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- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:  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.
12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
<ol> <li>The Disclosing Party certifies that the Disclosing Party (check one)</li> <li>[ ] is [x] is not</li> </ol>
a "financial institution" as defined in MCC Section 2-32-455(b).
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a

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

believe has not provided or cannot provide truthful certifications.

predatory lender may result in the loss of the privilege of doing business with the City."

_	2-455(b)) is a pre-	datory lender v	dge because it or any of its affiliates (as defined in within the meaning of MCC Chapter 2-32, explain
		•	onse appears on the lines above, it will be certified to the above statements.
D. CERTIFICAT	ION REGARDIN	IG FINANCIA	AL INTEREST IN CITY BUSINESS
Any words or tern	ns defined in MC	C Chapter 2-15	156 have the same meanings if used in this Part D.
after reasonable in	quiry, does any o	official or empl	To the best of the Disclosing Party's knowledge ployee of the City have a financial interest in his or or entity in the Matter?
[]Yes	[x ] No		·
NOTE: If you ch to Item D(1), skip		, ,	ceed to Items D(2) and D(3). If you checked "No" eed to Part E.
official or employed other person or entaxes or assessmer "City Property Sal	tee shall have a fir tity in the purchas sts, or (iii) is sold e"). Compensation	nancial interest se of any prope by virtue of le on for property	ive bidding, or otherwise permitted, no City elected st in his or her own name or in the name of any perty that (i) belongs to the City, or (ii) is sold for egal process at the suit of the City (collectively, by taken pursuant to the City's eminent domain the meaning of this Part D.
Does the Matter in	volve a City Prop	erty Sale?	
[ ] Yes	[x] No	A/M	
-			ne names and business addresses of the City officials dentify the nature of the financial interest:
Name	Busines	s Address	Nature of Financial Interest
4. The Disclosing	•	-	prohibited financial interest in the Matter will be

# E. CERTIFIÇATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
x 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
SECTION VI — CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS  NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.  A. CERTIFICATION REGARDING LOBBYING N/A
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined

by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

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 th	: Applicant?	
[]Yes	[ ] No	
If "Yes," answer the three	questions below:	
<ol> <li>Have you developed a federal regulations? (See [ ] Yes</li> </ol>	nd do you have on file affirmative action programs pursuant to applicable 41 CFR Part 60-2.)  [ ] No	;
Compliance Programs, or applicable filing requirem	e Joint Reporting Committee, the Director of the Office of Federal Contra the Equal Employment Opportunity Commission all reports due under the ents?  [] No [] Reports not required	
	in any previous contracts or subcontracts subject to the  [ ] No	
If you checked "No" to qu	estion (1) or (2) above, please provide an explanation:	
		_

#### SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

#### **CERTIFICATION**

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

ASB Allegiance Real Estate Partners GP, LLC
Print or type exact legal name of Disclosing Party)
By: Hallost
(Sign here)
HANNEKE TALBOT
Print or type name of person signing)
TEERSWEER
Print or type title of person signing)
Signed and sworn to before me on (date) July 3. 2017,
t MONTGOMERY County, MARYLAND (state):
Notary Public TARI TARI
Commission expires: 08/27/19  ONERY COMMENT

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

[ ] Yes	[×] No	
If yes, please identify below (1) the name and title of such person, (2) the name of the lewhich such person is connected; (3) the name and title of the elected city official or departn whom such person has a familial relationship, and (4) the precise nature of such familial relationship.		ne and title of the elected city official or department head to

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

# **EXHIBIT A**

Name	Titlety 3.2 The state of the st	Title Rolei
ASB Capital Management LLC	Sole Member and Manager	Member
Bellinger, Robert B.	President	Officer
Braithwaite, Lawrence	Vice President	Officer
Darcey, H. James	Senior Vice President	Officer
Quigley, David T.	Senior Vice President	Officer
Talbot, Hanneke	Treasurer	Officer

# **CITY OF CHICAGO** ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting	ng this EDS. Incl	lude d/b/a/ if applicable:	
ASB Capital Management LLC			
Check ONE of the following three boxes:			
Indicate whether the Disclosing Party submitting 1. [ ] the Applicant OR 2. [x] a legal entity currently holding, or and the contract, transaction or other undertaking to "Matter"), a direct or indirect interest in excess on name: MC ASB 939 Fulton, LLC	ticipated to hold which this EDS p	pertains (referred to below as t	the ,
OR 3. [] a legal entity with a direct or indirect State the legal name of the entity in which the D	_	- · ·	[ <b>(</b> B)(1))
B. Business address of the Disclosing Party:	7501 Wisconsin Avenu	e, Suite 1300W	
,	Bethesda, MD 20814		
C. Telephone: 212-759-2350 Fax: 212-759	9-8980	Email: cm@mcapny.com	
D. Name of contact person: Christian Mejia		_	
E. Federal Employer Identification No. (if you h	nave one):		···
F. Brief description of the Matter to which this property, if applicable):	EDS pertains. (Ir	nclude project number and loc	ation of
Approval of a Class L Property Tax Incentive for the property located	at 933-943 West Fulton	Market, Chicago, IL	
G. Which City agency or department is requesting	ng this EDS?	Department of Planning and Developmen	nt
If the Matter is a contract being handled by the Complete the following:	City's Department	of Procurement Services, ple	ase
Specification #n/a	and Contract #	n/à	
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# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

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<ol> <li>Indicate the nature of the Disclosing Part [ ] Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Trust</li> </ol>	[x] Limited liability company [ ] Limited liability partnership [ ] Joint venture [ ] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [ ] Yes [ ] No [ ] Other (please specify)
2. For legal entities, the state (or foreign count	try) of incorporation or organization, if applicable:
Maryland	
3. For legal entities not organized in the State business in the State of Illinois as a foreign entitle	of Illinois: Has the organization registered to do ity?
[* ] Yes [ ] No	[ ] Organized in Illinois
B. IF THE DISCLOSING PARTY IS A LEGA	AL ENTITY:
the entity; (ii) for not-for-profit corporations are no such members, write "no members whice similar entities, the trustee, executor, administ limited partnerships, limited liability compared	plicable, of: (i) all executive officers and all directors of all members, if any, which are legal entities (if there have legal entities"); (iii) for trusts, estates or other rator, or similarly situated party; (iv) for general or nies, limited liability partnerships or joint ventures, ger or any other person or legal entity that directly or of the Applicant.
NOTE: Each legal entity listed below must sub	omit an EDS on its own behalf.
Name See attached Exhibit A	Title
indirect, current or prospective (i.e. within 6 moownership) in excess of 7.5% of the Applicant.	encerning each person or legal entity having a direct or onths after City action) beneficial interest (including Examples of such an interest include shares in a or joint venture, interest of a member or manager in a

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limited liability state "None."	company, or interest of a beneficiary	of a trust, estate or other similar en	tity. If none,
NOTE: Each leg	gal entity listed below may be require	d to submit an EDS on its own beh	alf.
Name None	Business Address	Percentage Interest in the	Applicant
			· · · · · · · · · · · · · · · · · · ·
SECTION III OFFICIALS	- INCOME OR COMPENSATION	TO, OR OWNERSHIP BY, CIT	Y ELECTED
	ng Party provided any income or com preceding the date of this EDS?	pensation to any City elected offici	ial during the [x] No
	sing Party reasonably expect to providuring the 12-month period following	-	nny City [×],No
_	of the above, please identify below the	ne name(s) of such City elected offi	cial(s) and
inquiry, any City	ected official or, to the best of the Dis r elected official's spouse or domestic f the Municipal Code of Chicago ("M [*] No	partner, have a financial interest (a	
	dentify below the name(s) of such Citescribe the financial interest(s).	y elected official(s) and/or spouse(	s)/domestic
SECTION IV	DISCLOSURE OF SUBCONTRA	CTORS AND OTHER RETAIN	ED PARTIES
lobbyist (as define whom the Discloothe nature of the Disclosing Party Party's regular pa	Party must disclose the name and busined in MCC Chapter 2-156), accountained in MCC Chapter 2-156), accountained in MCC Chapter 2-156), accountained Party has retained or expects to relationship, and the total amount of the is not required to disclose employees ayroll. If the Disclosing Party is uncertained as the City was a support of the party must either ask the city was a support of the party must either ask the city was a support of the party must either ask the city was a support of the party must either ask the city was a support of the party must either ask the city was a support of the party must either ask the city was a sup	nt, consultant and any other person retain in connection with the Matter the fees paid or estimated to be paid who are paid solely through the Di rtain whether a disclosure is require	or entity r, as well as d. The isclosing ed under this

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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.
<u> </u>			
(Add sheets if necessary)			
[x] Check here if the Disc	losing Party	has not retained, nor expects to retain	ain, any such persons or entities.
SECTION V CERTIF	ICATIONS	3	
A. COURT-ORDERED	CHILD SUP	PORT COMPLIANCE	
	-	ntial owners of business entities tha support obligations throughout the	
·	•	ctly owns 10% or more of the Discl ions by any Illinois court of compe	· · · · · · · · · · · · · · · · · · ·
[]Yes []No [x]N	No person di	rectly or indirectly owns 10% or mo	ore of the Disclosing Party.
If "Yes," has the person er is the person in compliance		court-approved agreement for payragreement?	nent of all support owed and
[] Yes [] No			
B. FURTHER CERTIFIC	CATIONS		
Procurement Services.] In Party nor any Affiliated En performance of any public inspector general, or integ investigative, or other sim- activity of specified agence	the 5-year partity [see de contract, the rity compliant it is skills, de cy vendors as	ne Matter is a contract being handled period preceding the date of this ED finition in (5) below] has engaged, e services of an integrity monitor, in nice consultant (i.e., an individual of esignated by a public agency to help is well as help the vendors reform the is in the future, or continue with a con-	OS, neither the Disclosing in connection with the independent private sector rentity with legal, auditing, the agency monitor the eir business practices so they

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2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

- 3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
- 5. Certifications (5), (6) and (7) concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
- 6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
- 8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
- 9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
- 10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:    n/a
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusive presumed that the Disclosing Party certified to the above statements.
12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the Cirof Chicago (if none, indicate with "N/A" or "none").
13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appoints official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
<ol> <li>The Disclosing Party certifies that the Disclosing Party (check one)</li> <li>is [x] is not</li> </ol>
a "financial institution" as defined in MCC Section 2-32-455(b).
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, explain here (attach additional pages if necessary):  n/a				
	the word "None," or no response med that the Disclosing Party cer	e appears on the lines above, it will be tified to the above statements.		
D. CERTIFICATI	ON REGARDING FINANCIAL	INTEREST IN CITY BUSINESS		
Any words or term	s defined in MCC Chapter 2-156	have the same meanings if used in this Part D.		
after reasonable in		the best of the Disclosing Party's knowledge vee of the City have a financial interest in his or entity in the Matter?		
[]Yes	[× ] No			
	ecked "Yes" to Item D(1), proceed tems D(2) and D(3) and proceed	d to Items D(2) and D(3). If you checked "No" to Part E.		
official or employe other person or ent taxes or assessmen "City Property Sale	e shall have a financial interest in ity in the purchase of any propert ts, or (iii) is sold by virtue of lega	bidding, or otherwise permitted, no City elected has or her own name or in the name of any y that (i) belongs to the City, or (ii) is sold for all process at the suit of the City (collectively, aken pursuant to the City's eminent domain the meaning of this Part D.		
Does the Matter inv	volve a City Property Sale?			
[ ] Yes	[x] No MA			
		ames and business addresses of the City officials tify the nature of the financial interest:		
Name	Business Address	Nature of Financial Interest		
_	Party further certifies that no pro y official or employee.	hibited financial interest in the Matter will be		
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### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
x1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
· <del></del>
SECTION VI CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS
NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.
A. CERTIFICATION REGARDING LOBBYING N/A
1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
·
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee Ver.2017-1  Page 9 of 14

of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY N/A

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 t [ ] Yes	the Applicant?	
If "Yes," answer the three	ee questions be	elow:
<ol> <li>Have you developed federal regulations? (See [ ] Yes</li> </ol>	·-	ave on file affirmative action programs pursuant to applicable t 60-2.)
•	or the Equal Enments?	orting Committee, the Director of the Office of Federal Contract imployment Opportunity Commission all reports due under the [] Reports not required
[]165	[]140	[ ] Reports not required
<ol> <li>Have you participate equal opportunity clause</li> </ol>	7 -	ous contracts or subcontracts subject to the
[] Yes	[ ] No	
If you checked "No" to o	juestion (1) or	(2) above, please provide an explanation:

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#### SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

### **CERTIFICATION**

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

ASB Capital Management LLC
(Print or type exact legal pame of Disclosing Party)
By: Malely
(Sign here)
ROBERT BELLINGER
(Print or type name of person signing)
PRESIDENT AND CEC
(Print or type title of person signing)
Signed and sworn to before me on (date) 10th day of July 7017,
at Monthomery County, MARYLAND (state).
Notary Public
Commission expires: 08/77/19

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

# FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

[ ] Yes	[x] No	
which such person	is connected; (3) the name	and title of such person, (2) the name of the legal entity to and title of the elected city official or department head to, and (4) the precise nature of such familial relationship.

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

# BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

		10, is the Applicant or any Owner identified as a building code t to MCC Section 2-92-416?
[ ] Yes	[ ×] No	
~ -	• • •	ablicly traded on any exchange, is any officer or director of code scofflaw or problem landlord pursuant to MCC Section
[ ] Yes	[ ] No	[x] The Applicant is not publicly traded on any exchange.
	offlaw or problem	entify below the name of each person or legal entity identified in landlord and the address of each building or buildings to which

#### **EXHIBIT A**

The executive officer is B. Francis Saul II, Chairman. Robert Bellinger is the President, CEO. The directors are:

- George Clancy, Jr.
- Walter Fatzinger, Jr.
- Gilbert Grosvenor
- Christine Kearns
- William McSweeny
- H. George Platts
- B. Francis Saul Chairman
- Peter Welber
- Dr. LaSalle Leffall, Jr.

Robert B. Bellinger

President, Chief Executive Officer, ASB Real Estate Investments Division

Joel A. Friedman

Treasurer, Chief Financial Officer

Allison A. Ferko

Secretary, Vice President

Jessica L. Parker

**Assistant Secretary** 

Jane Stunkel

Assistant Treasurer