



City of Chicago



O2019-5555

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 7/24/2019

Sponsor(s): Lightfoot (Mayor)

Type: Ordinance

Title: Pilot program establishment and funding of Chicago Community Land Trust Affordable Homeownership and Housing Program (AHHP) under supervision of Department of Housing

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



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

July 24, 2019

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

Ladies and Gentlemen:

At the request of the Commissioner of Housing, I transmit herewith an ordinance authorizing an allocation of Affordable Housing Opportunity Funds for affordable home ownership and a housing program pilot.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Lori E. Lightfoot
Mayor

ORDINANCE

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

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

WHEREAS, the City, through its Department of Housing ("DOH"), desires to establish an Affordable Homeownership and Housing Program (the "AHHP Program") on a pilot basis to help preserve at-risk affordable housing in gentrifying neighborhoods in Chicago through the recording of affordable covenants and deed restrictions on specific single-family housing, such housing coming in to the AHHP Program by various means including direct acquisition and disposition by a designated agency for DOH, or voluntary opt-in to the AHHP Program by private owners, as more specifically set forth on Exhibit A attached hereto; and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City (City Council") on January 11, 2006 and published in the Journal of Proceedings of the City Council ("Journal") for said date at pages 67997 through 68024, inclusive, the Chicago Community Land Trust ("CCLT") was created for the purpose of preserving the long-term affordability of housing units created through public subsidies; and

WHEREAS, pursuant to an ordinance adopted by the City Council on April 9, 2008 and published in the Journal for said date at pages 24789 through 24791, inclusive, DOH entered into a Grant and Services Agreement with CCLT on August 16, 2009, as amended ("Agreement"), to provide certain City financial resources to support CCLT's program activities; and

WHEREAS, DOH desires to further amend the Agreement with CCLT to authorize it to administer the AHHP Program; and

WHEREAS, pursuant to Section 2-44-080(G)(1) of the Municipal Code of Chicago (the "Municipal Code"), funds deposited into the Affordable Housing Opportunity Fund ("AHOF Funds") may be used for the construction, rehabilitation or preservation of affordable housing or may be used in connection with such other housing programs as shall be specifically approved by the City Council for such revenues; and

WHEREAS, the AHHP Program directly enhances the preservation of at-risk affordable housing in gentrifying neighborhoods in Chicago long term; and

WHEREAS, the City desires to authorize the use of AHOF Funds for the AHHP Program; now, therefore,

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

SECTION 1. The above recitals are incorporated herein and made a part hereof.

SECTION 2. The AHHP Program, as set forth in Exhibit A attached hereto and made a part hereof, is hereby authorized.

SECTION 3. CCLT is hereby designated to administer the AHHP Program, subject to the supervision of DOH.

SECTION 4. AHOF Funds, as may be appropriated from time to time, are hereby authorized for use in connection with the AHHP Program.

SECTION 5. Subject to the approval of the Corporation Counsel for form and legality, and subject to the appropriation of funding, the Commissioner of DOH (the "Commissioner") and a designee of the Commissioner (together with the Commissioner, the "Authorized Officer") are each hereby authorized to negotiate, execute and deliver an amendment to the Agreement for the purpose of administering the AHHP Program for the City and, further, are each hereby authorized to perform any and all acts as shall be necessary or advisable in connection with the AHHP Program, as authorized by this ordinance.

SECTION 6. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code, or part thereof, conflicts with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 7. This ordinance shall be effective as of the date of its passage and approval.

Exhibit A

AHHP Program

Description and Budget

CHICAGO COMMUNITY LAND TRUST AFFORDABLE
HOMEOWNERSHIP & HOUSING PROGRAM (CCLT-AHHP)

PURPOSE: The purpose of the "CCLT Affordable Homeownership and Housing Program" (CCLT-AHHP) is to create long-term affordable home ownership in City of Chicago ("City") neighborhoods that are experiencing rising housing costs and property taxes and/or gentrification. With the allocation of \$3,000,000, the Chicago Community Land Trust ("CCLT") will (1) acquire and resell properties directly; (2) cooperate with partners that will acquire and resell residential properties; and (3) establish an "OPT-IN" program for existing owners, as described below. Residential properties acquired under CCLT-AHHP will be included in the CCLT portfolio and subject to the terms, restrictions, and requirements of the CCLT Deed Restriction/Covenant.

PROGRAM FUNDS: All funds received by the CCLT under this program are designated "Program Funds" and shall be placed by the CCLT in a separate Program Account in a financial institution approved by the City. Any interest earned on the funds in this Program Account shall be deemed "Program Proceeds" and shall be treated as Program Funds. All proceeds from the sale of residential properties or the recovery of "OPT-IN" Grants (as described below) also shall be designated as Program Proceeds and deposited into the Program Account. The CCLT will provide the City, through its Department of Housing ("DOH"), with a copy of the monthly bank statement for the Program Account, as well as an annual statement at the close of the CCLT Fiscal Year (January 1 to December 31).

ELIGIBLE PROPERTIES: Eligible properties include single-family detached homes, condominium units, townhomes, two-unit residential properties and vacant lots, all located in the City and in neighborhood areas designated as "at risk of gentrification", "gentrifying" or "gentrified" by the Board of Directors of the CCLT.

ELIGIBLE CCLT BUYERS: Eligible buyers of CCLT homes are home buyers who do not own other residential property; who will be owner-occupants of the property as their principal residence; and whose gross annual household income does not exceed 100% of the PMSA Median Income.

ELIGIBLE OWNERS ("OPT-IN" Program): Owners choosing to place their homes into the CCLT portfolio and execute the CCLT Covenant/Deed Restriction under the "OPT-IN" program will not be subject to the gross annual household income limit at the time that they "OPT-IN" to the CCLT, provided that the Owner executes the Covenant/Deed Restriction that will require that all future resales of the property must be to buyers with gross annual household income that does not exceed 100% of the PMSA Median income, and that the Maximum Resale Price shall not exceed the amount determined by formulae in the Deed Restriction/Covenant. Acceptance of an Owner for the OPT-IN program is subject to an application process, review by CCLT staff, and approval of the CCLT Board of Directors.

ELIGIBLE PARTNERS/BORROWERS: Eligible Partners/Borrowers are not-for-profit development corporations, community-based organizations, or for-profit developers that wish to use CCLT-AHHP funds for the acquisition of properties for subsequent resale to Eligible Buyers

according to the requirements of the CCLT. Full or partial repayment of funds from the CCLT will be determined by the Project Budget at the time of Application for funding, with review and approval by the CCLT Policy and Projects Committee. Repayment by the Eligible Partner/Borrower to the CCLT will be due upon sale of the property to an Eligible Buyer and the Eligible Buyer shall execute and be subject to the income restrictions of the CCLT and the terms of the CCLT Covenant/Deed Restriction.

CCLT-AHHP funds may be provided to Partners/Borrowers for acquisition of properties and closing costs associated with said acquisition. Any rehabilitation or repairs must be undertaken by the Eligible Partner/Borrower using other resources, and all rehabilitation or repair work must be performed in compliance with all City requirements regarding building codes, zoning and permits. Eligible Partners/Borrowers must submit a written request and project budget for consideration before funds can be approved.

OPT-IN: "OPT-IN" is a program available to existing owners of Eligible Properties who wish to ensure that their property will remain affordable for Eligible Buyers in the future. Owners participating in this strategy will irrevocably execute the CCLT Covenant/Deed Restriction. The CCLT will obtain a fair market appraisal (at the CCLT's expense) at the time the Owner agrees to "OPT-IN"; determine a fair "affordable value" at the same time (typically affordable for a household at 100% AMI); and incorporate both the fair market value and the affordable value into the Covenant/Deed Restriction as the basis for determining a future Maximum Resale Value.

INCENTIVES FOR ELIGIBLE "OPT-IN" OWNERS: Eligible Owners choosing the "OPT-IN" program will be eligible to receive a forgivable Grant of up to \$30,000, for any or all of the following purposes:

- 1) Correct health/safety hazards in the home;
- 2) Make exterior repairs/improvements (such as new roof, windows, porches, etc.);
- 3) Make energy-efficiency improvements (such as insulation & air-sealing, new efficient heating system, etc.);
- 4) Upgrade interior features if none of the prior three uses is necessary, with the approval of the CCLT.

The work performed using these Grants is subject to the CCLT's prior approval of the scope of work and inspection by a CCLT designee prior to any disbursement of Grant funds for work completed.

These Grants will be subject to recapture for a period of five (5) years after the distribution of the Grant should the Owner either no longer occupy the property as principal residence or sell the property during that five-year period. Execution and recording of the CCLT Covenant/Deed Restriction are prerequisites for commitment and/or distribution of the Grant to an "OPT-IN" Owner. Owners must obtain written proposals for the work from licensed and insured contractors prior to the approval of the Grant.

Owners choosing to "OPT-IN" will benefit from the CCLT's agreement with the Cook County Assessor's Office, whereby CCLT properties are assessed according to the affordable price or value at the time that the owner "Opts-In" (as determined by the CCLT) rather than the market value.

ACQUISITION OF PROPERTIES: CCLT shall use funds to acquire Eligible Properties in neighborhood areas designated by the CCLT Board of Directors. The acquisition may be made by the CCLT directly, or by an Eligible Partner with the review and approval of the CCLT.

ACQUISITION OF LAND: CCLT shall have the option to use funds to acquire vacant land in the City from the Cook County Land Bank, the City, or private parties, in anticipation of future development by either the CCLT or Partners/Borrowers.

REHAB OF PROPERTIES: The use of CCLT-AHHP funds by the CCLT for rehabilitation or repair of properties will be allowed, provided that the rehabilitation complies with City building codes; is performed under permit; that the property is sold to an Eligible Buyer; and the funds are recovered (in whole or in part) upon the sale of the property.

SALE OF PROPERTIES: Properties acquired by the CCLT or an Eligible Partner/Borrower are to be sold to Eligible Buyers who must occupy the property as their principal residence. Maximum Sale Prices will be determined by the CCLT in order to be affordable to Eligible Buyers. Proceeds of the sale will be returned to the CCLT as Program Proceeds.

ELIGIBLE EXPENSES FOR PROPERTY ACQUIRED BY ELIGIBLE PARTNER/BORROWER, OR BY CCLT ON BEHALF OF ELIGIBLE PARTNER/BORROWER: Eligible Expenses for which CCLT-AHHP funds can be used by an Eligible Partner/Borrower are the Acquisition Price and closing costs to acquire an Eligible Property for resale to an Eligible Buyer.

ELIGIBLE EXPENSES FOR PROPERTY ACQUIRED DIRECTLY BY THE CCLT: Eligible Expenses for which the CCLT itself can use CCLT-AHHP funds are the Total Project Costs of an individual property and include:

- Acquisition of property;
- Rehabilitation/repair of property;
- Real Estate Sales Commissions paid upon acquisition and disposition of the property;
- Permit fees, zoning certifications, water certifications, recording fees, transfer stamps and any other municipal, county or state fees associated with property transfers;
- Title charges upon either acquisition or sale;
- Inspection fees;
- Appraisal of property at point of acquisition;
- Third-party contractors engaged by CCLT to perform property inspections, prepare scopes of work, monitor/inspect work as completed;
- Up to 10% contingency for rehabilitation/repairs;
- New construction on vacant land acquired using AHHP funds;
- CCLT attorney fees for acquisition of property and resale of property;
- Other reasonable project-related costs not herein described;
- Holding costs of the CCLT, including board-up, trash-out, security, lawn care, snow removal, insurance, property management, real estate taxes, etc.;
- CCLT administrative costs and overhead (allocated or direct).

RESERVATION OF FUNDS: Identification of properties to be acquired by the CCLT itself is the responsibility of the CCLT staff. Approval of identified properties is the responsibility of the CCLT Projects & Policy Committee, with the concurrence of the CCLT Board of Directors.

Properties to be acquired by an Eligible Partner/Borrower through the use of CCLT-AHHP funds will require approval by a simple majority of the CCLT Projects and Policy Committee (phone or email approval is acceptable). Upon approval of an identified property, funds will be reserved. The reservation will be held for ninety (90) days and if the transaction does not close within that period of time, the reservation will expire.

APPLICATION PROCESS FOR ELIGIBLE CCLT BUYERS: In order to be certified to purchase a CCLT property, potential Buyers must submit to the CCLT:

- Completed CCLT Application;
- Proof of income in a form determined by and acceptable to the CCLT;
- Prior two years' federal tax return and all schedules;
- Mortgage pre-approval in an amount sufficient to complete the purchase;
- Proof of assets sufficient to complete the purchase;
- Certificates for completion of approved Home Buyer Education classes, CCLT; Orientation, Condominium Training (if necessary), and Landlord Training (if subject property is a two-unit property);
- Executed Income Affidavit for all household members;
- Executed Affidavit for Child Support Compliance;
- Scofflaw checks for outstanding municipal obligations and Child Support payments;
- Economic Disclosure Statement for Eligible Buyers and Eligible Partners/Borrowers.

APPLICATION PROCESS FOR ELIGIBLE PARTNERS/BORROWERS: In order to apply for CCLT funds to acquire a property, Eligible Partners/Borrowers must submit to the CCLT:

- A Comparative Market Analysis for the property;
- A property listing with the sales price;
- A budget/pro-forma for the acquisition and any repairs/rehabilitation;
- A calculation of final sales price;
- A timetable for the full acquisition/construction/rehab/resale process;
- Proof of the Eligible Partner's funds for anticipated rehabilitation or repairs;
- A brief narrative (no more than three (3) pages) describing the Eligible Partner's experience in prior development and/or real estate sales and identifying the source of funds to complete the transaction;
- A request to the CCLT for a specific amount of funding for the acquisition costs of the property.

USE OF OTHER FUNDS: Eligible Partners/Borrowers are expected to have access to and the use of funds other than CCLT-AHHP funds for each project (and particularly for any rehabilitation or repairs), provided that the use of such funds does not preclude the execution and recording of the CCLT Covenant/Deed Restriction as the primary encumbrance on the property.

REPORTING: The CCLT shall report to the City on the use of all program funds on a quarterly basis, detailing the use of Program Funds, the addresses of residential properties acquired and sold, and the status of residential properties as yet unsold.

For any properties requiring repair/rehabilitation using CCLT-AHHP funds for construction, the Eligible Partner/Borrower using the CCLT funds will be responsible for all reporting on MBE/WBE, prevailing wage, etc. to the City according to the City's schedule. Eligible Partners/Borrowers must submit monthly update reports to the CCLT, outlining progress on repairs/rehabilitation and sale of properties.

CCLT staff will report on the acquisition and disposition of properties and the use of funds to the CCLT Board of Directors at regular Board meetings, and as part of the Quarterly Report on the City's Five-Year Housing Plan.

BUDGET: The initial \$3,000,000 Affordable Housing Opportunity Fund allocation is earmarked as follows:

- Home Improvement Grants for Opt-In Owners with these funds reserved for a period of three (3) years for this purpose: **\$ 500,000**

- Acquisition/Rehab Program (*a portion of these funds may be earmarked for particular neighborhood areas by the CCLT Board of Directors*): **\$ 1,700,000**

- Land-Banking/Vacant Land Acquisition/Holding Costs for a period not to exceed five (5) years: **\$ 300,000**

- Reserves: **\$ 300,000**

- Administrative Expenses*: **\$ 200,000**

* may include, but not limited to *holding costs of the CCLT, including board-up, trash-out, security, lawn care, snow removal, insurance, property management, real estate taxes, etc., and CCLT administrative costs and overhead (allocated or direct), and transaction costs.*



CERTIFICATE OF FILING FOR
CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT

EDS Number: 143602

Date of This Filing: 07/02/2019 01:21 PM

Certificate Printed on: 07/02/2019

Original Filing Date: 07/02/2019 01:21 PM

Disclosing Party: Chicago Community Land Trust Title: Executive Director

Filed by: Mr. James Kevin Wheaton

Matter: Approval of Grant from AHOF funds

Applicant: Chicago Community Land Trust

Specification #:

Contract #:

The Economic Disclosure Statement referenced above has been electronically filed with the City. Please provide a copy of this Certificate of Filing to your city contact with other required documents pertaining to the Matter. For additional guidance as to when to provide this Certificate and other required documents, please follow instructions provided to you about the Matter or consult with your City contact.

A copy of the EDS may be viewed and printed by visiting <http://webapps1.cityofchicago.org/EDSWeb> and entering the EDS number into the EDS Search. Prior to contract award, the filing is accessible online only to the disclosing party and the City, but is still subject to the Illinois Freedom of Information Act. The filing is visible online to the public after contract award.



CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT and AFFIDAVIT
EDS Information Update
EDS # 143545

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting the EDS:

Chicago Community Land Trust

Enter d/b/a if applicable:

The Disclosing Party submitting this EDS is:

the Applicant

B. Business address of the Disclosing Party:

121 N LaSalle Street
Room 1006
Chicago, IL 60602
United States

C. Telephone:

312-744-0874

Fax:

312-7428549

Email:

james.wheaton@cityofchicago.org

D. Name of contact person:

Mr. James Kevin Wheaton

E. Federal Employer Identification No. (if you have one):

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

Not-for-profit corporation

Is the Disclosing Party also a 501(c)(3) organization?

Yes

Is the Disclosing Party incorporated or organized in the State of Illinois?

Yes

B. DISCLOSING PARTY IS A LEGAL ENTITY:

1.a.1 Does the Disclosing Party have any directors?

Yes

1.a.3 List below the full names and titles of all executive officers and all directors, if any, of the entity. Do not include any directors who have no power to select the entity's officers.

Officer/Director: Mr. James Kevin Wheaton
Title: Executive Director
Role: Officer

Officer/Director: Mr. Bruce Gottschall
Title: President
Role: Both

Officer/Director: Ms. Joy Arugnette
Title:
Role: Director

Officer/Director: Ms. Patricia Abrams
Title: Vice President
Role: Both

Officer/Director: Ms. Ofelia Navarro
Title: Secretary
Role: Both

Officer/Director: Mr. Calvin L Holmes
Title: Treasurer
Role: Both

Officer/Director: Ms. Rosanna Marquez
Title:
Role: Director

Officer/Director: Ms. Eva Brown
Title:
Role: Director

Officer/Director: Mr. Joel Bookman
Title:
Role: Director

Officer/Director: Ms. Pamela S Gecan
Title:
Role: Director

Officer/Director: Mr. Timothy Hughes
Title:
Role: Director

Officer/Director: Mr. Edward H Jacob
Title:
Role: Director

Officer/Director: Mr. Robert McGhee
Title:
Role: Director

Officer/Director: Mrs. Ofelia Navarro
Title:
Role: Director

Officer/Director: Ms. Guacolda E Reyes
Title:

Role: Director

Officer/Director: Mr. William W Towns

Title:

Role: Director

Officer/Director: Mr. Anthony Simpkins

Title: Ex Officio

Role: Director

1.a.5 Are there any members of the not-for-profit Disclosing Party which are legal entities?

No

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

A. 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?

No

B. 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?

No

D. 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 ("MCC")) in the Disclosing Party?

No

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

Not applicable because no person directly or indirectly owns 10% or more of the Disclosing Party

B. FURTHER CERTIFICATIONS

1. [This certification 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 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).

I certify the above to be true

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.

I certify the above to be true

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.

I certify the above to be true

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapter 2-56 (Inspector General) and Chapter 2-156 (Governmental Ethics).

I certify the above to be true

5. 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).

I certify the above to be true

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

- bid-rigging in violation of 720 ILCS 5/33E-3;
- bid-rotating in violation of 720 ILCS 5/33E-4; or

- 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.

I certify the above to be true

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.

I certify the above to be true

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.

I certify the above to be true

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")

I certify the above to be true

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

I certify the above to be true

11. 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.

None

12. 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.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

The Disclosing Party certifies, as defined in MCC Section 2-32-455(b), the Disclosing Party

is not a "financial institution"

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

If the Disclosing Party cannot make this verification, the Disclosing Party must disclose all required information in the space provided below or in an attachment in the "Additional Info" tab. 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.

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.

I can make the above verification

SECTION VII - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.

I acknowledge and consent to the above

The Disclosing Party understands and agrees that:

- 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 Article I of Chapter 1-23 (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.

I acknowledge and consent to the above

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 corporate officers of the Disclosing Party, 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?

No

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

No

APPENDIX C-PROHIBITION ON WAGE & SALARY HISTORY SCREENING

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted (www.amlegal.com), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants' wage or salary history from current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385.

ADDITIONAL INFO

Please add any additional explanatory information here. If explanation is longer than 1000 characters, you may add an attachment below. Please note that your EDS, including all attachments, becomes available for public viewing upon contract award. Your attachments will be viewable "as is" without manual redaction by the City. You are responsible for redacting any non-public information from your documents before uploading.

List of attachments uploaded by vendor

None.