



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Details (With Text)

**File #:** O2013-3399  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/8/2013      **In control:** City Council  
**Final action:** 6/5/2013

**Title:** Amendment of appropriation, tax levy and service provider agreement for Special Service Area No. 44, 103rd Street/Beverly (Year 2013)

**Sponsors:** Emanuel, Rahm

**Indexes:** S.S.A. No. 44 (103rd Street-Beverly)

**Attachments:** 1. O2013-3399.pdf

Date	Ver.	Action By	Action	Result
6/5/2013	1	City Council	Passed	Pass
6/3/2013	1	Committee on Finance	Recommended to Pass	Pass
5/8/2013	1	City Council	Referred	

OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

May 8, 2013

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

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith ordinances authorizing budget amendments for various Special Service Areas.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

## ORDINANCE

WHEREAS, special service areas may be established pursuant to Article VII, Sections 6(1) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time (the "Act") and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time (the "Code"); and

WHEREAS, on November 7, 2007, the City Council of the City of Chicago (the "City Council") enacted an ordinance, as amended on December 12, 2007 (collectively the "Establishment Ordinance") which established an area known and designated as City of Chicago Special Service Area Number 44 (the "Area") and authorized the levy of an annual tax, for the period beginning in 2007 through and including 2016, not to exceed an annual rate of two and a half percent (2.5%) of the equalized assessed value of the taxable property therein (the "Services Tax") to provide certain special services in and for the Area in addition to the services provided by and to the City of Chicago generally (the "Special Services"); and

WHEREAS, the Establishment Ordinance established the Area as that territory consisting approximately of the area on the north side of 103rd Street, from Longwood Drive on the west to the Metra tracks (Hale Avenue) on the east, and the south side of 103rd Street from Longwood Drive on the west to Wood Street on the east; and

WHEREAS, the Special Services authorized in the Establishment Ordinance include but are not limited to, maintenance and beautification, new construction, coordinated marketing and promotional activities, parking and transit programs, area strategic planning, business retention and recruitment, building facade improvements, security services and other technical assistance activities to promote community and economic development; and

WHEREAS, the Establishment Ordinance provided for the appointment of the 103<sup>rd</sup> St. Beverly Special Service Area Commission for the purpose of recommending to the Mayor and to the City Council a yearly budget based upon the cost of providing the Special Services and further to advise the Mayor and the City Council regarding the amount of the Services Tax to be levied; and

WHEREAS, on October 3, 2012, the City Council enacted an ordinance (the "2013 Appropriation, Levy, and Agreement Ordinance"), among other things, appropriating the sums necessary to provide the Special Services in and for the Area for 2013, levying the Services Tax for the tax year 2012, and authorizing an agreement with Beverly Area Planning Association, an Illinois not-for-profit corporation, as the service provider (the "2013 Service Provider"), for the provision of the Special Services in 2013; and

WHEREAS, pursuant to the 2013 Appropriation, Levy, and Agreement Ordinance the City and the 2013 Service Provider entered into a service provider agreement (the "2013 Service Provider Agreement"); and

WHEREAS, certain funds in Fund A52 ("Fund A52") in the amount of \$2,036 are available for use in connection with the Area; and

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WHEREAS, the City desires to increase the budget for Special Services in the Area in 2013 by \$2,036; and

WHEREAS, the City therefore desires to amend both the 2013 Appropriation, Levy, and Agreement Ordinance, as set forth below, and the 2013 Service Provider Agreement, pursuant to an amendment in substantially the form attached hereto as Exhibit A; now therefore

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

SECTION 1. Incorporation of Preambles. The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

SECTION 2. Amendment of 2013 Appropriation, Levy, and Agreement Ordinance. Section 2 of the 2013 Appropriation, Levy, and Agreement Ordinance is hereby amended by deleting the language indicated by ~~strikeout~~ and adding the underlined language as follows:

"SECTION 2. Appropriations. There is hereby appropriated the following sums in the amounts and for the purposes necessary to provide the Special Services in and for the Area, the estimated amounts of miscellaneous income and the amounts required to be raised by the levy of the Services Tax indicated as follows:

1 03<sup>rd</sup> ST. BEVERLY SPECIAL SERVICE AREA COMMISSION SPECIAL SERVICE AREA BUDGET

For the fiscal year commencing January 1, 2013 and ending December 31, 2013.

EXPENDITURES

Service Provider Agreement for the provision of Special Services	<u>\$14,473</u> <u>\$16,509</u>
<b>TOTAL BUDGET REQUEST</b>	<b><u>\$14,473</u> <u>\$16,509</u></b>

SOURCE OF FUNDING

Tax levy at an annual rate not to exceed two and a half percent (2.5%) of the equalized assessed value, of the taxable property within Special Service Area Number 44 \$10,050

Carryover funds currently available from prior tax years \$3,900

Late collections received by the City of Chicago attributable to the levy of the Services Tax in prior tax years, along with interest income thereon, if any, in an amount not to exceed

five percent (5%) of the Services Tax for  
tax year 2011 \$523

Fund A52 \$2,036"

SECTION 3. Amendment to 2013 Service Provider Agreement. The Commissioner of the Department of Housing and Economic Development (the "Commissioner"), or a designee of the Commissioner, are each hereby authorized, subject to approval by the Corporation Counsel as to form and legality, to enter into, execute and deliver an amendment to the 2013 Service Provider Agreement in substantially the form attached hereto as Exhibit A and hereby made a part hereof (the "2013 Service Provider Agreement Amendment"), and such other supporting documents, if any, as may be necessary to carry out and comply with the provisions of the 2013 Service Provider Agreement Amendment, with such changes, deletions and insertions as shall be approved by the persons executing the 2013 Service Provider Agreement Amendment.

SECTION 4. Enforceability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 5. Conflict. This ordinance shall control over any provision of any other ordinance, resolution, motion or order in conflict with this ordinance, to the extent of such conflict.

SECTION 6. Effective Date. This ordinance shall take effect after its passage and publication.

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EXHIBIT A

2013 Service Provider Agreement Amendment

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**AMENDMENT**  
*Special Service Area 44*

This Amendment ("Amendment") is made and entered into effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF CHICAGO ("City"), a municipal corporation and home rule unit of local government existing under the Constitution of the State of Illinois, acting through the Special Service Area Commission at Chicago, Illinois, and the Beverly Area Planning Association, an Illinois not-for-profit corporation ("Contractor").

**BACKGROUND**

The Contractor and the City have entered into an Agreement dated \_\_\_\_\_, 2013 ("Agreement"), in which the Contractor is to perform certain services for Special Service Area Number 44. The Contractor and the City desire to make certain changes to the Agreement. The Agreement requires that modifications to it must be made in writing and signed by both parties.

NOW THEREFORE, in consideration of the provisions and conditions set forth in the Agreement, the parties do mutually agree to amend the Agreement as set forth below.

It is further agreed by and between the parties that the sole modifications of, changes in, and amendments to the Agreement are as follows:

1. Exhibit 1(A), Amended Scope of Services and Budget for 2013, is attached to this Amendment as Attachment 1 and incorporated by reference.
2. Article 2, Definitions, is amended by adding the following definition for Surplus TIF Funds:  
  
"Surplus TIF Funds" means a portion of those Tax Increment Funds originally established by the City (fund A52) in connection with the Western Avenue/Rock Island Redevelopment Area, which remain unspent.

**3 --Sections 5.01 and 5.02, Basis of Payment and Budget for Services,** respectively, are hereby deleted and replaced with the following:

**"5.01 Basis of Payment**

The maximum compensation that the Contractor may be paid under this Agreement between January 1, 2013 and December 31, 2013 is the sum of (a) \$10,050 or the total amount of Service Tax Funds actually collected, plus interest earned on those funds, for tax year 2012, whichever is less; (b) the total amount of Surplus Funds in the amount of \$3, 900 which are being carried over from previous program years and which contractor hereby acknowledges are in its possession; (c) Late Collections in an amount not to exceed \$523; and (d) TIF Surplus Funds in an amount not to exceed \$2,036; the maximum compensation that the Contractor may be paid under this Agreement between January 1, 2013 and December 31, 2013, therefore, shall not exceed \$16,509.

**5.02 Budget for Services**

The Contractor in conjunction with the SSAC has prepared a Budget through December 31, 2013, attached hereto as Exhibit 1 (A) and incorporated by reference as if fully set forth here, covering all services described in the Scope of Services. Subject to the restriction that the maximum amount that may be spent in calendar year 2013 may not exceed \$16,509, the SSAC reserves the right to transfer funds between line items or make Budget revisions that do not affect the maximum compensation set forth in Section 5.01. The SSAC shall revise the Budget if any part of the Contractor's Services is terminated."

4. Exhibit 2(A), Amended Economic Disclosure Statement and Affidavit, is attached to this Amendment as Attachment 2 and incorporated by reference.

All terms of the Agreement remain in full force and effect except as modified in this Amendment.

**SIGNED:**

**CITY OF CHICAGO**

By: Commissioner, Department of Housing and Economic Development

**CONTRACTOR:**

By:  
(Signature)

Its:  
(Print Name and Title)

Attest:

Its:  
(Print Name and Title)

County of State of

Acknowledged on [title] of [date] before me by as [firm].

Notary Public Commission expires:

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Attachment 1 Amended Scope of Services and Budget for 2013

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**& SERVICES SUMMARY - Amendment**

City of Chicago, Department of Housing and Economic Development

**SSA #44 - 103rd Street Beverly**

**Service Provider Agency: Beverly Area Planning Association**

**Budget Period: January 1, 2013 to December 31, 2013**

2013 BUDGET SUMMARY CATEGORY	2012 Levy	+ Carry Over	+ Lit' collecttoni and Interot Income Thereon	+ SSA44 Share of Ttr-Sutptm in Fund AS2	=	2013 Budget
1.00 Advertising & Promotion	\$ 1,000	++ \$ 1,000	++ \$	++ t	ii	\$ 2,000
		++	++	++	ii	
		++	++	++	ii	
		++	++	+	ii	
					ii	
					ii	
					ii	
					ii	
					ii	
2.00 Public Way Maintenance	\$ 5,450	\$	I	\$		\$ 5,450
3.00 Public Way Aesthetics	\$ 1,200	1,150	\$	\$ 2,036		* 2,700
<b>10.00 Personnel</b>	<b>\$ 1,600</b>	<b>\$</b>		<b>\$</b>		<b>\$ 1,600</b>
<b>11.00 Admin Non-Personnel</b>	<b>\$ 500</b>	<b>1,100</b>				<b>1,600</b>
<b>12.00 Loss Collection: 15.9%</b>	<b>\$ 300</b>	<b>\$ 1,300</b>				<b>1,600</b>
<b>13.00 Late Collections and Interest Income Thereon</b>	<b>t</b>	<b>S</b>	<b>\$ 523</b>	<b>\$</b>		<b>* 523</b>
<b>  GRAND TOTAL   \$ 10,050</b>		<b>1,3900</b>	<b>S 523</b>	<b>t 2,036</b>		<b>\$ 16,509</b>

**LEVY ANALYSIS**

- 1 Estimated 2011 EAV: **J2.378.027**
- 2 Authorized Tax Rate Cap: 2.500%
- 3 Estimated 2012 Levy \$10,050
- 4 **Estimated Tax Rate to Go 0.423%**  
**Est 2012 Levy= Est. Tax I**

**2013 SSA SERVICES SUMMARY**

1.00 Advertising & Promotion 2.00 Public Way Maintenance 3.00 Public Way Aesthetics

**Attachment 2**

**Amended Economic Disclosure Statement and Affidavit 2013**

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT and AFFIDAVIT  
Related to Contract/Amendment/Solicitation EDS # 32700

**SECTION I GENERAL INFORMATION**

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

Beverly Area Planning Association Enter d/b/a if applicable:

The Disclosing Party submitting this EDS is:

the Applicant

**B. Business address of the Disclosing Party:**

11107 S. Longwood Dr. Chicago, IL 60643  
United States

**C. Telephone:**

773-233-3100

**Fax:**

773-233-0869

**Email:**

mattwalsh@bapa.org <mailto:mattwalsh@bapa.org>

**D. Name of contact person:** Mr. Matthew J. Walsh

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

**F. Brief description of contract, transaction or other undertaking (referred to below the "Matter") to which this EDS pertains:**

To amend the 2013 Service Provider Agreement between City of Chicago and Beverly Area Planning Association to allow for the budget to be increased by \$2,036.00 for special services within SSA#44 - 103rd Street Beverly.

**Which City agency or department is requesting this EDS?**

DEPT OF HOUSING AND ECONOMIC DEVELOPMENT

**Specification Number**

**Contract (PO) Number**

**Revision Number**

**Release Number**

**User Department Project Number**

## 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:**

**Title:**

**Role:**

**Officer/Director:**

**Title:**

Role:

Mr. Thomas Chomicz

Director

Director

Mr. Thomas Baffes

2nd VP

Both

**Officer/Director:**

**Title:**

**Role:**

Ms. Melinda Lawrence

Director

Director

**Officer/Director:**

**Title:**

Role:

Ms. Audrey Peeples

Director

Director

**Officer/Director:**

**Title:**

**Role:**

Ms. Gayle Scahill

Secretary

Both

**Officer/Director:**

**Title:**

**Role:**

Mr. John Kallianis

Director

Director

**Officer/Director:**

**Title:**

Role:

Ms. Margaret Tucker

Director

Director

**Officer/Director:**

**Title:**

**Role:**

Mr. Abraham Lentner 1st Vice President Both

**Officer/Director: Title:**

Mr. Dennis O'Mailey Treasurer

**Role:**

**Officer/Director:**

**Title:**

**Role:**

**Officer/Director:**

**Title:**

**Role:**

Ms. Leslie Corbett Chenoweth

Director

Director

Mr. Matthew J. Walsh Executive Director Officer

**Officer/Director:**

**Title:**

**Role:**

Ms. Catherine Raaflaub

Director

Director

Officer/Director;

**Title:**

**Role:**

**Officer/Director:**

**Title:**

**Role:**

Mr. Matthew Cleveland

President

Both

Mr. Anthony McKenna

Director

Director

**Officer/Director:**

**Title:**

**Role:**

Mr. Warren Lawson

Director

Director

1 .a.5 Are there any members of the non-for-profit Disclosing Party which are legal entities?

No

### **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?

No

## 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.

1. Has the Disclosing Party retained any legal entities in connection with the Matter?

Yes

2. List below the names of all legal entities which are retained parties.

Name:

Anticipated/ Retained:

Business Address:

**Relationship: Fees**

**(\$\$ or %): Estimated/Paid:**

Munro Landscape Retained

10057 S. Western Ave.

Chicago, IL 60643 United States

Subcontractor - non MWDBE

\$7,850.00

Estimated

Name:

**Anticipated/ Retained:**

Business Address:

Relationship: Fees

Desmond & Ahern, Ltd. Retained

10801 S. Western Ave. Chicago, 60643 United States Accountant \$600.00

**(\$\$ or %): Estimated/Paid:**

3. Has the Disclosing Party retained any persons in connection with the Matter?

No

**SECTION V - CERTIFICATIONS**

**A. COURT-ORDERED CHILD SUPPORT COMPLIANCE**

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

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage 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. Pursuant to Municipal Code Chapter 1-23. Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows:

- i. neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and
- ii. the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City.

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

I certify the above to be true

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.

I certify the above to be true

3. 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).

I certify the above to be true

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

- 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

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.

I certify the above to be true

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), Chapter 2-56 (Inspector General) and Chapter 2-156 (Governmental Ethics) of the Municipal Code.

I certify the above to be true

7. 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 execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago.

None

8. 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 \$20 per recipient.

None

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

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The Disclosing Party certifies that, as defined in Section 2-32-455(b) of the Municipal Code, the Disclosing Party

is not a "financial institution"

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

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

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City

have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

No

#### 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 VI CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS

Is the Matter federally funded? For the purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

No

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

The Disclosing Party understands and agrees that:

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- 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. A training program is available on line at [www.cityofchicago.org/city/en/depts/ethics.html](http://www.cityofchicago.org/city/en/depts/ethics.html) <<http://www.cityofchicago.org/city/en/depts/ethics.html>>, 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.

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 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

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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.

I acknowledge and consent to the above 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.

I certify the above to be true

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.

I certify the above to be true

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.

I certify the above to be true

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

## HEADS

This question 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

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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 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

No

## 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.

None

List of vendor attachments uploaded by City staff None.

List of attachments uploaded by vendor None.

## CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants

that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

isl 04/05/2013

Mr. Matthew J. Walsh

Executive Director

Beverly Area Planning Association

This is a printed copy of the Economic Disclosure Statement, the original of which is filed electronically with the City of Chicago. Any alterations must be made electronically, alterations on this printed copy are void and of no effect.

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CERTIFICATE OF FILING FOR CITY OF CHICAGO ECONOMIC DISCLOSURE

STATEMENT

EDS Number: 32700

Date of This Filing: 04/05/2013 03:47 PM

Certificate Printed on: 04/05/2013

Original Filing Date: 06/27/2012 03:31 PM

Disclosing Party: Beverly Area Planning

Title: Executive Director Association

Filed by: Mr. Matthew J. Walsh

Matter: To amend the 2013 Service Provider Agreement between City of Chicago and Beverly Area Planning Association to allow for the budget to be increased by \$2,036.00 for special services within SSA#44 - 103rd Street Beverly.

Applicant: Beverly Area Planning Association 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

<<https://webapps.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.