



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: R2017-826
Type: Resolution **Status:** Adopted
File created: 10/11/2017 **In control:** City Council
Final action: 12/13/2017
Title: Support of Class 6(b) tax incentive for property at 3843 W 43rd St
Sponsors: Zalewski, Michael R.
Indexes: Class 6(b)
Attachments: 1. R2017-826.pdf

Date	Ver.	Action By	Action	Result
12/13/2017	1	City Council	Adopted	Pass
12/11/2017	1	Committee on Economic, Capital and Technology Development	Recommended to Pass	
10/11/2017	1	City Council	Referred	

RESOLUTION CLASS 6(B) REAL ESTATE TAX INCENTIVE FOR THE BENEFIT OF THE MARVEL GROUP, INC., AND REAL ESTATE LOCATED GENERALLY AT 3843 WEST 43RD STREET IN CHICAGO, ILLINOIS PURSUANT TO COOK COUNTY, ILLINOIS TAX INCENTIVE ORDINANCE, CLASSIFICATION SYSTEM FOR ASSESSMENT

WHEREAS, the Cook County Board of Commissioners has enacted the Cook County Tax Incentive Ordinance, Classification System for Assessment, as amended from time to time (the "County Ordinance"), which provides for, among other things, real estate tax incentives to property owners who build, rehabilitate, enhance and occupy property which is located within Cook County, Illinois and which is used primarily for industrial purposes; and

■ WHEREAS, the City of Chicago (the "City"), consistent with the County Ordinance, wishes to induce industry to locate and expand in the City by supporting financial incentives in the form of property tax relief; and

WHEREAS, The Marvel Group, Inc., a Delaware corporation (the "Applicant"), owns certain real estate located generally at 3843 West 43rd Street, Chicago, Illinois 60632, as further described on Exhibit A hereto (the "Subject Property"); and

WHEREAS, the Applicant has been the owner of the Subject Property since 1973 and the Subject Property has been used for industrial purposes for more than ten years; and

WHEREAS, the Ordinance permits a Class 6(b) classification for certain properties which have been used for industrial purposes for a minimum of ten years when the industrial enterprise that occupies the premises submits evidence of hardship supporting a determination that participation in the Sustainable Emergency Relief Program (the "SER Program") is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused ("Evidence of Hardship"); and

WHEREAS, the Applicant has submitted Evidence of Hardship to the City; and

WHEREAS, special circumstances exist of dilapidation, obsolescence, deterioration, presence of structures below minimum code standards, excessive vacancies, inadequate utilities, and deleterious land use or layout (the "Special Circumstances"); and

WHEREAS, the City's Department of Planning and Development has reviewed the Evidence of Hardship and (i) found that the Special Circumstances qualify the Subject Property for participation in the SER Program, (ii) determined that Applicant's participation in the SER Program is necessary for the Applicant to continue operations at the Subject Property and maintain its staff, and that without such designation the Applicant's industrial enterprise on the

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Subject Property would not be economically viable causing the Subject Property to be in imminent risk of becoming vacant and unused; and

WHEREAS, the Applicant has filed with the Office of the Assessor of Cook County (the "Assessor") an eligibility application for a Class 6(b) tax incentive under the SER Program, including the Evidence of Hardship; and

WHEREAS, the Subject Property is located within (i) the City of Chicago Enterprise Zone No. 2 (created pursuant to the Illinois Enterprise Zone Act, 20 ILCS 665/1 et seq., as amended, and pursuant to an ordinance enacted by the City Council of the City, as amended) and (ii) the Stevenson-Brighton Redevelopment Project Area (created pursuant to the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended, and pursuant to an ordinance enacted by the City Council of the City), and the purposes of Enterprise Zones and Redevelopment Project Areas are also to provide certain incentives in order to stimulate economic activity and to revitalize depressed areas; and

WHEREAS, it is the responsibility of the Assessor to determine that an application for a Class 6(b) classification or renewal of a Class 6(b) classification is eligible pursuant to the County Ordinance; and

WHEREAS, the County Ordinance requires that, in connection with the filing of a Class 6(b) eligibility application with the Assessor under the SER Program, an applicant must obtain from the municipality in which such real estate that is proposed for Class 6(b) designation is located a resolution expressly stating that the municipality (i) has found that special circumstances exist which qualify the property for the Class 6(b) designation pursuant to the SER Program, (ii) has determined that the applicant's participation in the SER Program is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused, and (iii) supports and consents to the Class 6 (b) classification by the Assessor; and

WHEREAS, the intended use of the Subject Property will provide significant present and future employment; and

WHEREAS, notwithstanding the Class 6(b) status of the Subject Property, the redevelopment and utilization thereof will generate significant new revenues to the City in the form of additional real estate taxes and other tax revenues; now, therefore,

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

SECTION 1: That the City finds that the Special Circumstances qualify the Subject Property for participation in the SER Program pursuant to the County Ordinance.

SECTION 2: That the City determines that the Applicant's participation in the SER Program is necessary for the Applicant to continue operations at the Subject Property and maintain its staff, and that without such designation the Applicant's industrial enterprise on the

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Subject Property would not be economically viable causing the Subject Property to be in imminent risk of becoming vacant and unused.

SECTION 3: That the City supports and consents to the Class 6(b) classification pursuant to the SER Program by the Assessor with respect to the Subject Property.

SECTION 4: That the Economic Disclosure Statement, as defined in the County Ordinance, has been received and filed by the City.

SECTION 5: That the Clerk of the City of Chicago is authorized to and shall send a certified copy of this resolution to the Assessor, and a certified copy of this resolution may be included with the Class 6(b) eligibility application filed with the Assessor by the Applicant, as applicant, in accordance with the County Ordinance.

Alderman, 23rd Ward

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EXHIBIT A

Legal Description of Subject Property:

see attached

Permanent Real Estate Tax Index Numbers (PINS) for the Subject Property:

see attached

Parcel 1:

A parcel of land in Block 1 of the Subdivision of the West Half of the Southwest Quarter of Section 2, Township 38 North, Range 13, East of the Third Principal Meridian, described as follows: Beginning at a point on the North line of said Block being the South line of West 43rd Street which point is 803.80 feet East of the East line of South Pulaski Road (as widened) and which point is also 820.80 feet East of the Northwest corner of Block 2 of said Subdivision and running thence South along the West line of said Parcel being a line perpendicular to said South line of West 43rd Street a distance of 325 feet; Thence East parallel with said South line of West 43rd Street a distance of 172.05 feet; Thence Easterly along the arc of a circle having a radius of 224.06 feet convex Southerly and tangent to the last mentioned parallel line a distance of 14.98 feet to its intersection with a line 187.02 feet East of and parallel with the above described West line of said parcel: Thence Northeasterly along a curved line convex to the Southeast and having a radius of 224.06 feet an arc distance of 154.05 feet more or less to a point which is 158.58 feet West of the East line of said West Half of the Southeast Quarter of said Section 2 and 264.19 feet South of the South line of West 43rd Street aforementioned; Thence Northeasterly along a straight line a distance of 6.08 feet more or less to a point which is 154.05 feet West of said East line of the West Half of the Southwest Quarter of Section and 260.03 feet South of the South line of West 43rd Street; Thence Northeasterly along a curved line, convex to the Southeast and having a radius of 393.23 feet; an arc distance of 87.68 feet, more or less, to a point which is 96.51 feet West of the East line of said West half of the Southwest Quarter of Section 2, and 193.39 feet South of the South line of West 43rd Street aforementioned, Thence Northerly along a curved line, convex to the Southeast having a radius of 258.89 feet an arc distance of 124.59 feet more or less, to a point which is 52.41 feet West of said East line of the West Half and 77.60 feet South of the South line of West 43rd Street; Thence Northerly along a straight line a distance of 77.76 feet, more or less, to a point in the South line of West 43rd Street, said point being 46.52 feet West of said East line of the West Half; Thence West along the South line of West 43rd Street a distance of 434.17 feet, more or less, to the point of beginning, all in Cook County, Illinois.

Parcel 2:

That part of Block 1 in the Subdivision of the West half of the Southwest Quarter of Section 2, Township 38 North, Range 13, East of the Third Principal Meridian, which part is more particularly described as follows: Beginning at a point on the South line of said Block, said South line being the North line of West 44th Street, which is 956.22 feet East of the Point of intersection of said North Street line with the East line of South Pulaski Road, as widened, which said East line of South Pulaski road, as widened, is 50 feet East of and parallel with the West line of said Southwest Quarter and running thence North and perpendicular to said North Street line a distance of 237.39 feet to a point; Thence Northeasterly along the arc of a circle, having a radius of 274.37 feet, convex Southeasterly a distance of 191.92 feet, more or less, to its intersection with a curved line which is convex Southeasterly and has a radius of 244.06 feet, said curved line being drawn Northeasterly from a point of tangency in a line which is 345 feet, measured perpendicularly, South of and parallel to the North line of said Block 1 and which point of tangency is 971.76 feet East of the East line of South Pulaski Road, as widened;

Thence continuing along said curve which is tangent to the said line which is 345 feet, measured

perpendicularly, South of parallel the North line of said Block 1, a distance of 11.31 feet to a point 322.63 feet, more or less, North of said North line of West 44th Street; Thence continuing Northeasterly along a straight line tangent to the above mentioned arc, a distance of 6.08 feet to a point 140.53 feet, more or less, West of the East line of said West half of the Southwest Quarter; Thence continuing Northeasterly along the arc of a circle, having a radius of 413.23 feet, convex Southeasterly and tangent to the last above described course, a distance of 92.14 feet to a point 80.07 feet more or less, West of said East line of the West half of the Southwest Quarter; Thence continuing Northeasterly along the arc of a circle, having a radius of 278.89 feet, convex Southeasterly and tangent to the last described arc, a distance of 83.21 feet to a point 43.50 feet West of said East line of the West half and 129.73 feet, more or less, South of said North line of Block 1; Thence East, parallel with said North line of Block 1, a distance of 2.0 feet; Thence South along a line 41.50 feet West of and parallel to said East line of the West Half, a distance of 471.71 feet to said North line of West 44th Street; and Thence West along said North Street line, a distance of 287.26 feet to the point of beginning, in Cook County, Illinois.

Parcel 3:

That part of Block 1 in the Subdivision of the West half of the Southwest Quarter of Section 2, Township. 38 North, Range 13, East of the Third Principal Meridian, which part is more particularly described as follows: Beginning at a point on the South line of said Block said South line being the North line of West 44th Street which is 956.22 feet East of the point of intersection of said North Street Line with East line of South Pulaski Road as widened which said East line of South Pulaski Road as widened is 50 feet East of and parallel with the West line of said Southwest Quarter and running thence North and perpendicular to said North Street line a distance of 237.39 feet to a point; Thence Northeasterly along the arc of a circle having a radius of 274.37 feet convex Southeasterly a distance of 191.92 feet more or less to its intersection with a curved line which is convex Southeasterly and having a radius of 244.06 feet, said curved line being drawn Northeasterly from a point of tangency in a line which is 345 feet measured perpendicularly South of and parallel to the North line of said Block 1 and which point of tangency is 971.76 feet East of the East line of said South Pulaski Road as widened; Thence Southwesterly along said curved line which is convex Southeasterly and has a radius of 244.06 feet arc distance of 172.81 feet more or less to the aforementioned point of tangency in said line which is 345 feet measured perpendicularly South of and parallel to the North line of said Block 1; Thence West along the last described parallel line a distance of 40.08 feet to a point 931.68 feet East of said East line of South Pulaski Road as widened; Thence Southwesterly along a starlight line a distance of 94.54 feet more or less to a point in a line drawn perpendicular to the South line of said Block 1 from a point which is 835.65 feet East of said East line of South Pulaski Road as widened (measured along said South line of said Block 1) said point in said perpendicular line being 362 feet measured perpendicular South of the North line of said Block 1; Thence South along said line drawn perpendicular to the South line of said Block 1 a distance of 239.39 feet-more or less to the South line of Block 1, said South line being also the North line of West 44th Street; Thence East along the said North Street line a distance of 120.57 feet to the point of beginning, all in Cook County, Illinois.

Parcel 4:

The North Half of the West Half of Block 4 in Gillette's Subdivision of the West half of the Southwest Quarter of Section 2, Township 38 North, Range 13, East of the Third Principal Meridian, lying North of the North line of vacated 44th Place, in Cook County, Illinois.

The Marvel Group Class 6(b) SER - Property Index Number ("PIN") List

19-02-301-003 19-02-301-008 19-02-301-009 19-02-301-011 19-02-301-012
19-02-301-014 19-02-301-036

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

SECTION I - GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

THE MARVEL GROUP, INC.

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. the Applicant

OR

2. 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

2. "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal

2. name: .

OR

3. a legal entity with a direct or indirect right of control of the Applicant (see Section 11(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: 3843 West 43rd. Street
Chicago, IL 60632**

C. Telephone: (773) 843-2903 Fax: (773) 523-2401 Email: uor»^VrpQ r^orve^rvcp-C

D. Name of contact person: Pamela Wright, CFO

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):

Applying for Class 6(b) Sustainable Emergency Relief with Cook County

Property Location: 3843 W. 43rd Street, Chicago, Illinois, 60632

G. Which City agency or department is requesting this EDS? r^p,^^ „<= piHnnlne

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # N^A , and Contract #

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^ SECTION H - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing [] Person [] Publicly registered business corporation [x] Privately held business corporation [] Sole proprietorship [] General partnership [] Limited partnership [] Trust

- [] Limited liability company
[] Limited liability partnership
[] Joint venture
[] Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify)

2. For legal entities, the state (or foreign 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 [] No [J Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. 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 Tide

John J. Dellamore	President
Edward J. Lencioni	Vice-President, Operations
<u>D. Kenneth Wolfanger</u>	<u>Vice-President, Information Services</u>
Pamela K. Wright.	Vice-President, Finance, Corporate Sec'y/Treas.

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

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

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
John J. Dellamore	3843 W. 43rd St., Chicago	61.9
Edward J. Lencioni	3843 W. 43rd St., Chicago 10.3	
D. Kenneth Wolfanger	3843 W. 43rd St., Chicago IU73	
Inspph P. FnrHn	RpHrgd ; 2955 N. Beach Rd., Engelwood, FL, 34223	10.3

SECTION IH - 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 ofthe above, please identify below the name(s) ofsuch City elected official(s) and describe such income or compensation:

^ NM

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 No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partners) and describe the financial interests).

N/A

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (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.

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Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)
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Retained

David C. Dillon 3100 Dundee Road, Suite 508 - Attorney

Northbrook, IL 60062

Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response. \$25,000 - Estimated

(Add sheets if necessary)

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

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under 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 on any child support obligations by any Illinois court of competent jurisdiction?

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

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

Yes No

B. FURTHER CERTIFICATIONS

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.

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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 EI(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.

****s 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").

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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 ^J

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 ELCS 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

10. or to be hired in connection with the Matter certifications equal in form and substance to those in

10. Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

10. Ver.2017-1

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

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"). 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.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)
 is is not

a "financial institution" as defined in 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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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): Not applicable.

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 FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, 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), skip Items D(2) and D(3) and proceed to Part E.

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

Does the Matter involve a City Property Sale?

Yes No

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

Name	Business Address	Nature of Financial Interest
N/A		

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

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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 VTJ. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

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

ULA

(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

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

Is the Disclosing Party the Applicant? Yes No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

Yes No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

Yes No Reports not required

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:

SECTION VH - 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.

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.

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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.

THE MARVEL GROUP, INC.

(Print or type exact legal name of Disclosing Party)

Pamela Wright

(Print or type name of person signing) -

Chief Financial Officer, VP Finance, Treasurer/Secretary

(Print or type title of person signing)

Signed and sworn to before me on (date)

Illinois

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

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

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5%. 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 departmenthead 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 n.B.l.a>, if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5% 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 legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

N/A

**CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND
AFFD3AVIT
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 identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes 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

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.

N/A