

## Office of the City Clerk

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

### Legislation Details (With Text)

**File #:** O2013-5040

Type: Ordinance Status: Passed

File created: 6/26/2013 In control: City Council

**Final action:** 7/24/2013

Title: Settlement agreement and mutual release with National Italian American Sports Hall of Fame, Inc.

regarding prior sale of property at 1423-1431 W Taylor St

Sponsors: Emanuel, Rahm Indexes: Miscellaneous

**Attachments:** 1. O2013-5040.pdf

Date	Ver.	Action By	Action	Result
7/31/2013	1	Office of the Mayor	Signed by Mayor	
7/24/2013	1	City Council	Passed	Pass
7/16/2013	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
6/26/2013	1	City Council	Referred	

#### **ORDINANCE**

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

WHEREAS, pursuant to an ordinance approved by the City Council of the City (the "City Council") on January 14, 1998, and published in the Journal of Proceedings of the City Council (the "Journal") for such date at pages 59907 through 59909, the City and National Italian American Sports Hall of Fame, Inc., an Illinois not -for-profit corporation ("Developer"), have previously entered into that certain "Agreement for the Sale and Redevelopment of Land," dated as of August 18, 1998, and recorded with the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder's Office"), on September 9, 1999, as document number 99858127 (the "Agreement"); and

WHEREAS, in accordance with the Agreement, for the sales price of One Dollar (\$1.00), the City conveyed to the Developer the property commonly known as 1423-31 West Taylor Street (P.I.N.s 17-17-325-012 and 17-17-325-036), Chicago, Illinois, which is legally described in Exhibit A hereto (the "Property"), pursuant to the City's quitclaim deed dated September 9, 1999, and recorded with the Recorder's Office, on September 9, 1999, as document number 99858128 (the "Deed"); and

WHEREAS, the Agreement and the Deed imposed certain covenants running with the land relating to: devoting the Property in accordance with the uses set forth in the Conservation Plan for the Near West Side Conservation Area; limitation upon encumbrances of the Property; commencement and completion of certain improvements on the Property (the "Improvements"); prohibition against transfer of property; and certain non-discrimination requirements; and

WHEREAS, pursuant to an ordinance approved by the City Council on January 9,2008, and published in the Journal for such date at pages 18581 through 18607, the City and the Developer have previously entered into that certain "First Amendment to Agreement for the Sale and Redevelopment of Land," dated as of June 18, 2008, and recorded with the Recorder's Office, on October 31, 2008, as document number 0830529057 (the "First Amendment"): and

WHEREAS, the First Amendment extended the date by which the Developer was required to complete the construction of the Improvements, as well as amended the description of those Improvements to be consistent with the current designs for the improvements being constructed on the Property; and

WHEREAS, the First Amendment also required the Developer for a period of thirty (30) years following the execution date of the First Amendment to devote the Improvements to museum and exhibition uses, related to honoring distinguished Italian-American athletes and prominent civic leaders (the "30-Year Use Restriction"); and

WHEREAS, in order to facilitate the Developer's continued operation of the museum located on the Property, the City previously agreed to the Developer's proposed conveyance of the Property and Improvements to Taylor & Bishop, LLC, an Illinois limited liability company, having its principal offices at 1431 West Taylor Street, Chicago, Illinois 60607 ("T&B LLC"); and

WHEREAS, by warranty deed dated April 30, 2008, and recorded accompanying an Affidavit Regarding Deed dated May 2, 2008, with the Recorder's Office, on May 2, 2008, as document number 0812318108, the Developer conveyed the Property to T&B LLC, and

WHEREAS, the Property remains subject to the terms of the Agreement, as amended by the First Amendment (the "Amended Agreement"), and the Deed (the Agreement, the First Amendment and the Deed, the "City Documents"); and

WHEREAS, Section 19.B. of the Agreement ("Section 19.B.") obligated the Developer, or any successor developer, to satisfy certain City of Chicago resident employment requirements, including that at least fifty percent (50%) of the total worker hours worked by persons on the construction of the Improvements be performed by actual residents of the City of Chicago (the "Resident Miring Requirement"); and

• WHEREAS, Section 19.C. of the Agreement ("Section 19.C") set forth the goals that the Developer and any successor developer, during the course of construction of the Improvements expend at least twenty-five percent (25%) and five percent (5%), respectively, of the aggregate hard construction costs for contract participation by minority-owned business enterprises and women-owned business enterprises (collectively, the "M/WBE Contracting Goals"); and

WHEREAS, the Developer has been unable to provide any required compliance documentation with the terms (including Sections 19.B. and 19.C.) of the Agreement; and

WHEREAS, a dispute (the "Dispute") has arisen between the City and the Developer concerning the Developer's meeting the Resident Hiring Requirements and the M/WBE Contracting Goals, and timely

completing the Improvements; and

WHEREAS, in lieu of the City's exercising its rights and remedies under the Amended Agreement, the parties have engaged in settlement discussions concerning the Developer's payment of certain sums to the City and the City's termination of the Amended Agreement, release of the Property from encumbrances and restrictions imposed by the City Documents and release of the Developer from all demands actions and claims that the City may have in connection with any of the City Documents (whether now or in the future); and

WHEREAS, in order to avoid litigation, the City and the Developer have agreed to settle the Dispute, subject to the terms and provisions of the settlement agreement attached hereto as Exhibit B (the "Settlement Agreement"); and

WHEREAS, the Developer has represented to the City that it does not have sufficient funds to pay the amounts to become due to the City pursuant to the Settlement Agreement; and

WHEREAS, it is anticipated that Hall of Fame Acquisition No. 2, LLC, a Minnesota limited liability company, will pay the amounts due to the City pursuant to Section 3 of the Settlement Agreement and subsequently take title to the Property and Improvements, although such acquisition is not a requirement of the Settlement Agreement; and

WHEREAS, in order to facilitate the future occupancy of the Improvements, and to avoid the Improvements becoming .vacant, as part of the Settlement Agreement, the City is willing to terminate the Amended Agreement, release the Property from any restrictions set forth in the Amended Agreement, including but not limited to the 30-Year Use Restriction, and the Deed and release the Developer from all demands, actions and claims that the City may have in connection with any of the City Documents (whether now or in the future); and

WHEREAS, the City, in light of all the attendant circumstances, has determined it to be in the City's best interest to enter into the Settlement Agreement; now, therefore,

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. The Commissioner of the City's Department of Housing and Economic Development (the "Commissioner") and a designee of the Commissioner are each hereby authorized, with the approval of the City's Corporation Counsel as to final form and legality, to negotiate, execute and deliver a release in the form attached to the Settlement Agreement as Exhibit 2, and such other supporting documents as may be necessary or appropriate to release the Property and the Developer from the Agreement, First Amendment and Deed.

SECTION 3. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 4. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall take effect immediately upon its passage and approval.

#### OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

June 26, 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 an ordina-ice authorizing an agreement and release with the National Italian American Sports Hall of Fame, Inc. regarding a previously passed land sale.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

#### **EXHIBIT A**

#### LEGAL DESCRIPTION

LOTS 9,10 AND 11 IN STTNSON'S SUBDIVISION OF BLOCK 48 IN THE CANAL TRUSTEES SUBDIVISION OF THE WEST  $^{1}/_{2}$  AND THE WEST  $^{1}/_{2}$  OF THE SOUTHWEST  $^{1}/_{4}$  OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 1423-31 West Taylor Street, Chicago, Illinois 60607

P.I.N.s: 17-17-325-012

17-17-325-036

# EXHIBIT B FORM OF SETTLEMENT AGREEMENT [Attached] SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release ("Settlement Agreement") is entered into on or as of this day of , 2013, by and between by and between the City of Chicago, an Illinois municipal corporation and home rule unit of local government (the "City"), acting by and through its Department of Law, having its principal offices at City Hall, 121 North LaSalle Street, Chicago, Illinois 60602, and National Italian American Sports Hall of Fame, Inc., an Illinois not-for-profit corporation ("Developer"), having its principal offices at 1431 West Taylor Street, Chicago, Illinois 60607 (collectively, the "Parties").

#### **RECITALS**

WHEREAS, pursuant to an ordinance approved by the City Council of the City (the "City Council") on January 14,1998, and published in the Journal of Proceedings of the City Council (the "Journal") for such date at pages 59907 through 59909, the City and National Italian American Sports Hall of Fame, Inc., an Illinois not -for-profit corporation ("Developer"), have previously entered into that certain "Agreement for the Sale and Redevelopment of Land," dated as of August 18, 1998, and recorded with the Office of the Recorder of Deeds of Cook County, Illinois ("Recorder's Office"), on September 9,1999, as document number 99858127 (the "Agreement"); and

WHEREAS, in accordance with the Agreement, for the sales price of One and 00/100 Dollar (\$ 1.00), the City conveyed to the Developer the property commonly known as 1423-31 West Taylor Street (P.I.N.s 17-17-325-012 and 17-17-325-036), Chicago, Illinois, which is legally described in Exhibit 1 hereto (the "Property"), pursuant to the City's quitclaim deed dated September 9,1999, and recorded with the Recorder's Office, on September 9, 1999, as document number 99858128 (the "Deed"); and

WHEREAS, the Agreement and the Deed imposed certain covenants running with the land relating to: devoting the Property in accordance with the uses set forth in the Conservation Plan for the Near West Side Conservation Area; limitation upon encumbrances of the Property; commencement and completion of improvements on the Property (the "Improvements"); prohibition against transfer of property; and certain non-discrimination requirements; and

WHEREAS, pursuant to an ordinance approved by the City Council on January 9,2008, and published in the Journal for such date at pages 18581 through 18607, the City and the Developer have previously entered

into that certain "First Amendment to Agreement for the Sale and Redevelopment of Land," dated as of June 18, 2008, and recorded with the Recorder's Office, on October 31, 2008, as document number 0830529057 (the "First Amendment"); and

WHEREAS, the First Amendment extended the date by which the Developer was required to complete the construction of the Improvements, as well as amended the description of those

Improvements to be consistent with the current designs for the improvements being constructed on the Property; and

WHEREAS, the First Amendment also required the Developer for a period of thirty (30) years following the execution date of the First Amendment to devote the Improvements to museum and exhibition uses, related to honoring distinguished Italian-American athletes and prominent civic leaders (the "30-Year Use Restriction"); and

WHEREAS, in order to facilitate the Developer's continued operation of the museum located on the Property, the City previously agreed to the Developer's proposed conveyance of the Property and the Improvements to Taylor & Bishop, LLC, an Illinois limited liability company, having its principal offices at 1431 West Taylor Street, Chicago, Illinois 60607 ("T&B LLC"); and

WHEREAS, by warranty deed dated April 30, 2008, and recorded accompanying an Affidavit Regarding Deed dated May 2, 2008, with the Recorder's Office, on May 2, 2008, as document number 0812318108, the Developer conveyed the Property to T&B LLC, and

WHEREAS, the Property remains subject to the terms of the Agreement, as amended by the First Amendment (the "Amended Agreement"), and the Deed (the Agreement, the First Amendment and the Deed, the "City Documents"); and

WHEREAS, Section 19.B. of the Agreement ("Section 19.B.") obligated the Developer, or any successor developer, to satisfy certain City of Chicago resident employment requirements, including that at least fifty percent (50%) of the total worker hours worked by persons on the construction of the Improvements be performed by actual residents of the City of Chicago (the "Resident Hiring Requirement"); and

WHEREAS, Section 19.C. of the Agreement ("Section 19.C") set forth the goals that the Developer and any successor developer, during the course of construction of the Improvements expend at least twenty-five percent (25%) and five percent (5%), respectively, of the aggregate hard construction costs for contract participation by minority-owned business enterprises and women-owned business enterprises (collectively, the "M/WBE Contracting Goals"); and

WHEREAS, the Developer has been unable to provide any required compliance documentation with the terms (including Sections 19.B. and 19.C.) of the Agreement; and

WHEREAS, a dispute (the "Dispute") has arisen between the City and the Developer concerning the

Developer's meeting the Resident Hiring Requirements and the M/WBE Contracting Goals, and timely completing the Improvements (such completion of the Improvements, the "Improvement Deadlines"); and

WHEREAS, in lieu of the City's exercising its rights and remedies under the Agreement, as amended by the First Amendment, the parties have engaged in settlement discussions concerning the Developer's payment of certain sums to the City and the City's termination of the Amended Agreement, release of the Property from encumbrances and restrictions imposed by the Amended Agreement and the Deed and release of the Developer from all demands actions and claims that the City may have in connection with any of the City Documents (whether now or in the future); and

WHEREAS, in order to avoid litigation, the City and the Developer have agreed to settle the Dispute, subject to the terms and provisions of this Settlement Agreement; and

WHEREAS, it is anticipated that Hall of Fame Acquisition No. 2, LLC, a Minnesota limited liability company (the "Acquisition Entity"), will pay the amount due to the City pursuant to Section 3 of this Settlement Agreement and subsequently take title to the Property, although such acquisition is not a requirement of the Settlement Agreement; and

WHEREAS, in order to facilitate the future occupancy of the Improvements by the Developer and/or one or more third-parties, and to avoid the Improvements becoming vacant, as part of the Settlement Agreement, the City is willing to terminaie the Amended Agreement, release the Property from any encumbrances set forth in the City Documents, including but not limited to the 30-Year Use Restriction, all pursuant to a recordable release in the form attached hereto as Exhibit 2 (the "Release"), to be executed by the Commissioner of the City's Department of Housing and Economic Development or such Commissioner's designee; and

WHEREAS, the Parties desire to resolve all claims that the Parties have, have asserted, or could have asserted arising from or in any way connected to the Dispute and/or any of the City Documents.

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated and made a part of this Settlement Agreement by reference, and of the mutual promises and covenants set forth below to be kept and performed by the Parties, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Information on Compliance with Resident Hiring Requirement and M/WBE Employment Goals; Compliance with Improvement Deadlines. The Developer represents and warrants that it made good faith efforts to obtain the necessary documentation to meet the Resident Hiring Requirement and M/WBE Contracting Goals, and is unable to provide documentation to the City evidencing the Developer's compliance with the Resident Hiring Requirement and M/WBE Contracting Goals. The Developer further represents that it made good faith efforts to comply with the Improvement Deadlines.

2. Avoidance of Litigation. The Parties acknowledge and agree that this Settlement Agreement is made to avoid the uncertainty and expense of litigation, including the litigation involving the Dispute, and to amicably resolve the matters set forth above.

As part of this Settlement Agreement, the City of Chicago shall issue the Release for recording by the Developer, at the Developer's expense, and Developer shall simultaneously pay or cause to be paid to the City the Settlement Payment, defined in Section 3 below. The City acknowledges and consents to the Acquiring Entity's rights to acquire, and acquisition of, the Property in connection with the Settlement Agreement and agrees that the Acquiring Entity, upon acquisition and issuance of the Release, shall have no liabilities, restrictions or obligations under any of the City Documents.

- 3. Settlement Payment. The Developer shall pay, or cause to be paid, to the order of the City of Chicago, in immediately payable upon demand certified funds, concurrent with the Developer's execution of this Settlement Agreement, Three Hundred Seventy-Five Thousand and no/100 Dollars (\$375,000) ("Settlement Payment"), as damages relating to the Developer's failure to comply with the Resident Hiring Requirement, M/WBE Employment Goals and Improvement Deadlines, and as reimbursement to the City for a portion of the value of the Property conveyed by the City to the Developer.
- 4. Mutual Release. The Developer hereby releases and discharges the City from any and all demands, actions and claims the Developer and any successors-in-interest may have with respect to the Settlement Payment, as damages relating to the Developer's failure to comply with the Resident Hiring Requirement, M/WBE Employment Goals and Improvement Deadlines.

The City hereby releases and discharges the Developer and its successors-in-interest from any and all demands, actions and claims that it may have with respect to any of the City Documents, including but not limited to Developer's failure to satisfy the Resident Hiring Requirement, M/WBE Contracting Goals and Improvement Deadlines.

- 5. No Third Party Beneficiaries. This Settlement Agreement is entered into solely for the benefit of the Parties hereto and their successors and assigns, and is not intended to create, nor shall it be construed to create, any rights for the benefit of or enforceable by any other person, directly or derivatively in the name of any party.
- 6. No Assignment. None of the Parties hereto shall assign, in whole or in part, this Settlement Agreement of any of their respective rights or obligations under this Settlement Agreement, without the prior written approval of the other party. The Parties represent and warrant that they have not sold, assigned, transferred, conveyed, or otherwise disposed of any of the claims or causes of action being released herein.

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7. Binding Effect. This Settlement Agreement and the Release shall be binding upon and inure to the benefit of the Parties and their successors, assigns, and representatives.

Terms contained herein shall not be construed against a party merely because that party is or was the principal drafter.

- 8. Governing Law. The Parties agree that this Settlement Agreement shall be governed by and construed in accordance with the internal laws, but not the conflict of law rules, of the State of Illinois.
- 9. Legal Authority. The individuals signing this Settlement Agreement represent and warrant that they are duly authorized to enter into and execute this Settlement Agreement on behalf of the entities on whose behalf they are signing.
- 10. Advice of Counsel. In entering this Settlement Agreement, the Parties represent that they each have relied upon the advice of their attorneys, who are the attorneys of their own choice, and that the terms of this Settlement Agreement have been interpreted and explained to them by their attorneys, and that those terms are fully understood and voluntarily accepted.
- 11. Entire Agreement. This Settlement Agreement constitutes the entire agreement of the Parties with regard to the settlement of all demands, actions and claims that arose or could have arisen under the Agreement, the First Amendment and/or the Deed. There are no other understandings or agreements between the Parties with respect thereto. This Settlement Agreement may not be modified, interpreted, amended, waived, or revoked orally, but only by a writing signed by all Parties or their attorneys.
- 12. Notice. Any written notice given hereunder shall be sent by certified mail, return receipt requested, or messenger delivery as follows:

If to the City: Deputy Corporation Counsel

Real Estate and Land Use Division City of Chicago - Department of Law 121 North LaSalle Street, Room

600 Chicago, Illinois 60602

If to Developer: National Italian American Sports Hall of Fame, Inc.

1431 West Taylor Street Chicago,

Illinois 60607 Attn:

- 13. Counterparts. This Settlement Agreement may be executed in identical original counterparts, with each counterpart constituting the entire Settlement Agreement.
- 14. Facsimile Signatures. A facsimile signature shall be considered the equivalent of an original signature.

#### [SIGNATURE PAGE FOLLOWS]

IN WITNESS HEREOF, the Parties have signed this Settlement Agreement as of the day and year first above written.

#### NATIONAL ITALIAN AMERICAN SPORTS HALL OF FAME, INC.,

an Illinois not-for-profit corporation

By:

Name:

Its:

CITY OF CHICAGO,

an Illinois municipal corporation

By:

Stephen R. Patton, Corporation Counsel

(sub) Exhibit 1 to Settlement Agreement

#### LEGAL DESCRIPTION

LOTS 9, 10 AND 11 IN STINSON'S SUBDIVISION OF BLOCK 48 IN THE CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 1423-31 West Taylor Street, Chicago, Illinois 60607

17-17-325-012 17-17-325-036

(sub) Exhibit 2 to Settlement Agreement FORM OF RELEASE [Attached]

Prepared by and

after recording return to:

Arthur S. Dolinsky Senior Counsel Real Estate and Land Use Division City of Chicago Department of Law 121 N. LaSalle Street, Room 600 Chicago, Illinois 60602

#### RELEASE OF DEED RESTRICTIONS, COVENANTS AND RIGHTS

The undersigned, being the duly appointed and authorized Commissioner of the Department of Housing and Economic Development ("DHED"), of the City of Chicago (the "City"), a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Illinois Constitution, does hereby release and terminate the restrictions and covenants imposed by the City, and does hereby release and terminate the right of re-entry and reversion reserved to the City, all as set forth in that certain Quit Claim Deed dated September 9,1999 and recorded with the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder's Office") on September 9, 1999, as Document No. 99858128 (the "City Deed"), relating to the property commonly known as 1423-31 W. Taylor Street, Chicago, Illinois, and legally described in Exhibit A attached hereto (the "Property"). The undersigned hereby further releases the National Italian American Sports Hall of Fame, Inc., an Illinois not -for-profit corporation (the "Developer"), and its successors and assigns, from all obligations under that certain Agreement for the Sale and Redevelopment of Land dated August 18, 1998, and recorded with the Recorder's Office on September 9, 1999 as Document No. 99858127, as amended by that certain First Amendment to Agreement for the Sale and Redevelopment of Land dated June 18, 2008 and recorded with the Recorder's Office on October 31, 2008 as Document No. 0830529057 (collectively, the "Amended Agreement") and from all demands, actions and claims (now or in the future) arising out of the Amended Agreement and the City Deed. In addition, the Amended Agreement is hereby terminated.

Notwithstanding the foregoing, the Developer and its successors and assigns shall pay real estate taxes and assessments on the Property or any part thereof when due.

The execution of this Release of Deed Restrictions, Covenants and Rights by the Commissioner of DHED is authorized by Ordinance of the City Council of the City adopted on ,2013.

IN WITNESS WHEREOF the undersigned has executed the instrument as of this day of ,2013.

CITY OF CHICAGO, acting by and through its Department of Housing and Economic Development

Andrew J. Mooney Commissioner

STATE OF ILLINOIS ) ss.

COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Andrew J. Mooney, personally known to me to be the Commissioner of the Department of Housing and Economic Development of the City of Chicago, a municipal coiporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this

Notary Public

(sub) Exhibit A to Release

Legal Description of the Property

LOTS 9, 10 AND 11 IN STINSON'S SUBDIVISION OF BLOCK 48 IN THE CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 1423-31 West Taylor Street, Chicago, Illinois 60607

17-17-325-012 17-17-325-036

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:

## HftViftnqV Ueilian fimtricnn s^rv^S \Hi of -fame, loo

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. tyf the Applicant
  - OR
- 2. [] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the
- 2. Applicant in which the Disclosing Party holds an interest:

OR

- 3. [J a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party:  $i^{1}-\{.^{\t}\}$ . \*X<Tt\\[ry~^7]

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C. Telephone:ft(A.'aa	air>*SSfefe Fax: 313.33	k. 5^-7? Email: OfO/TOf S^Qiz-^s	<u>pff</u>
D. Name of contact p	person, hfpyxy?. ^njn/Tf	r>*7 ?	
E. Federal Employer	· Identification No. (if you	have one): /[	
		other undertaking (referred to below ation of property, if applicable):	as the "Matter") to which this
G. Which City agenc	y or department is request	ting this EDS? \^j <sub>f</sub> Lg,'^	/*/3JO• Tartar S
If the Matter is a c following:	contract being handled by	the City's Department of Procurement	nt Services, please complete the
Specification #	~~ *	and Contract #	
	SCLOSURE OF OWNE		
A. NATURE OF TH	IE DISCLOSING PARTY	7	
[ ] Privately held bus [ ] Sole proprietorshi [ ] General partnersh [ ] Limited partnersh [ ] Trust [ ] Limited liability c for-profit corporation	ip ip ip ompany [ ] Limited liabili	ity partnership[] Joint venture J^ijf	Not-for-profit corporation (Is the not-
2. For legal entiti	es, the state (or foreign co	ountry) of incorporation or organizati	on, if applicable:
3. For legal entiti Illinois as a foreign e	_	ate of Illinois: Has the organization r	egistered to do business in the State of
[ ] Yes	[ ] No JX'N/A		

#### B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleliolder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below'the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name

## £pcy \$aPdg?StQ

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

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

Name

**Business Address** 

Percentage Interest in the Disclosing Party

tOciC\C

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

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

[] Yes ^.No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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

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

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

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

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Name (indicate whether **Business** retained or anticipated Address to be retained)

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, lobbyist, etc.)

paid or estimated.) NOTE: "hourly rate" or "t.b.d." is

not an acceptable response.

(Add sheets if necessary)

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

#### **SECTION V - CERTIFICATIONS**

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

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

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

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

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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. 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 J supersedes some five-year compliance timeframes in certifications 2 and 3 below.

#### Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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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 five years before the date this EDS is signed, or, with respect to a Contractor, an A ffiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity,
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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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.

8. 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 (if none, indicate with "N/A" or "none").

#### **QOAC**

9. 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 ] 2-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 (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

## ft pry:.,

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

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

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business withjthe City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b)

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in

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an attachment to this EDS all information required by paragraph 2. Failure to Page 8 of 13

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

- 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
- 2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

#### SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

#### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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	Party will submit an updated certification at the end of each calendar quarter in which there materially affects the accuracy of the statements and information set forth in paragraphs A.l. and
Revenue Code of 198	g Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal 6; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 nd will not engage in "Lobbying Activities".
substance to paragrap Disclosing Party must	ng Party is the Applicant, the Disclosing Party must obtain certifications equal in form and hs A.L through A.4. above from all subcontractors before it awards any subcontract and the t maintain all such subcontractors' certifications for the duration of the Matter and must make such y available to the City upon request.
B. CERTIFICATION	REGARDING EQUAL EMPLOYMENT OPPORTUNITY
	lly funded, federal regulations require the Applicant and all proposed subcontractors to submitation with their bids or in writing at the outset of negotiations.
Is the Disclosing Part	y the Applicant?
[] Yes	[ ] No
If "Yes," answer the t	hree questions below:
1. Have you dev regulations? (See 41 C	eloped and do you have on file affirmative action programs pursuant to applicable federal CFR Part 60-2.)
	with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance al Employment Opportunity Commission all reports due under the applicable filing requirements?  [] No
3. Have you parti	cipated in any previous contracts or subcontracts subject to the equal opportunity

[j Yes []No

If you checked "No" to question 1. or 2. above, please provide an explanation:

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ACKNOWLEDGMENTS, **CONTRACT** INCORPORATION, COMPLIANCE, **SECTION** VII PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics <a href="http://www.cityofchicago.org/Ethics">http://www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F. 1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F. 1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.L, F.2. or F.3. above, an explanatory statement must be attached to this EDS.

#### **CERTIFICATION**

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

(Print or type name of Disclosing Party)

(Sign here) (Print or type name of person signing) (Print or type title of person signing)

Signed and sworn to before me on-(date)

at C-OD^- County, [ 
$$iU|A/IL^{ (state).   
{[AkH, ftvQ&V? Notary Public.  $\stackrel{i}{>}$  Lisa Mario Arado   
>yy i-=c ^ Notary Public State of Illinois   
My Commisilon Expires 12/08/2014$$

Commission expires:

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city

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

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

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

[]Yes

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.

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{DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing, [('unable to recertify truthfully, the Disclosing Party amst complete a new EDS with correct or zorrected information)

RECERTIFICATION

This [identify he/she is warrants are true, at accurate acknowli

Generally, for use with City Council matters. Mot for City procurements unless requested lecert ificarjoad

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edgmeat!

is being submitted in connection with. Matter}. Under penalty' of perjury, the person signing below: (1) warouits that authorized to execute this EDS re certification on behalf of the Disclosing Party, (2) all certifications and statements contained in the Disclosing Party's enigiaal EDS curate and complete as of the date furnished to the City and continue to !je true, complete as of the date of this

File #: O2013-5040, Version: 1
recerrMcation, and (3) reaffirms its j its. i
CPrint or t> pe legal name of Disclosing Party)
(sign here) Print or type ; name of signatory: Signatory:
Title of fri;
1
Signed ant K/irW7/
sworn H> before me on [date] oJ-Cc/u? 2} <sub>f</sub> Z.0\S by ICELi^&^^n.at C CgyC- County, "Til t \A.J. ilfii i/UL AV3gk> NotaryPubK,
Comtnissu n expires:
Official Seal Lisa Marie Arado Notary Public State of Illinois ' My Commijslon Expires 12/08/2014
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:
Taylor & Bishop LLC
Check ONE of the following three boxes:
Indicate whether the Disclosing Party submitting this EDS is:

1. fX] the Applicant

, OR

ch this EDS
ete the
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2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

File #: (	D2013-5040, <b>Version</b>	: 1		
<u>II1</u>	inois_			
3.	For legal entities not	organized in the State of Illi	linois: Has the organization registered to do	
busii	ness in the State of Ill	inois as a foreign entity?		
[]Ye	S	[]No [x]N/A		
B. IF TI	HE DISCLOSING PA	ARTY IS A LEGAL ENTIT	ГҮ:	
profit comember of the venture that come	orporations, also list less." For trusts, estates e entity is a general parties, list below the name	pelow all members, if any, we or other similar entities, list artnership, limited partnershand title of each general partnership, and title of each general partnership.	ive officers and all directors of the entity. NOTE: For not-for- which are legal entities. If there are no such members, write 'st below the legal titleholder(s). hip, limited liability company, limited liability partnership or artner, managing member, manager or any other person or enting Party. NOTE: Each legal entity listed below must submit	"no joint tity
Name T Jerry Co	Title olangelo		Managing Member	
	(including ownership	p) in excess of 7.5% of the	rning each person or entity having a direct or indirect benefici Disclosing Party. Examples of such an interest include shares terest in a partnership or joint venture, of 13	
similar ("Muni intende	entity. If none, state	"None." NOTE: Pursuant to y may require any such add losure.	ompany, or interest of a beneficiary of a trust, estate or other to Section 2-154-030 of the Municipal Code of Chicago ditional information from any applicant which is reasonably	
Name		Business Address	Percentage Interest in the Disclosing Party	

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

None. .

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?

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[] Yes	[X] No			
If yes, please identify belo	w the name(s) of	such City elected offici	al(s) and describe such r	relationship(s):
SECTION IV - DISCLO	SURE OF SUBC	CONTRACTORS AN	O OTHER RETAINED	PARTIES
The Disclosing Party maccountant, consultant and connection with the Matter be paid. The Dhclosing Partegular payroll.	any other person of, as well as the na	or entity whom the Disture of the relationship,	closing Party has retaine and the total amount of	d . or expects to retain in the fees paid or estimated to
of any person or entity oth	er than: (1) a not-	-for-profit entity, on an	unpaid basis, or (2) hims	ministrative action on behalf self. "Lobbyist" also means ng to influence any legislative
If the Disclosing Party must either ask the City w		-	red under this Section, the disclosure.	ne Disclosing Party
		Page 3 of 13		
, Name (indicate whether	Business Rela	ationship to Disclosing	Party Fees (indicate who	ether
retained or anticipated to be retained)	Address (subc	contractor, attorney, lobbyist, etc.)	•	stimated.) NOTE: ate" or "t.b.d." is not an acceptable response.
Not Applicable				
(Add sheets if necessary)				

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

File #: O2013-5040, Version: 1		

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

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

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

[] Yes [] No [x] 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. 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.

#### Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions

(federal, state or local) terminated for cause or default; and

- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilitiesi 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"),

#### Page 5 of 13

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;
- agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but ' have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or

partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters | 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

#### Page 6 of 13

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.

- 8. 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 (if none, indicate with "N/A" or "none"). N/A
- 9. 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 (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient, i None

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

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

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

#### Page 7 of 13

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

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

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

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

[JYes '[x]No

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

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?

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[ ] Yes	[ ] No	
•	ed "Yes" to Item D.l., provide the na ch interest and identify the nature of	mes and business addresses of the City officials or f such interest:
Name	Business Address	Nature of Interest
4. The Disclosing		phibited financial interest in the Matter will be acquired by any
E. CERTIFICATION	N REGARDING SLAVERY ERA I	BUSINESS
	EDS all information required by pa	Party checks 2., the Disclosing Party must disclose below or in aragraph 2. Failure to Page 8 of 13
comply with these di Matter voidable by the	- · · · · · · · · · · · · · · · · · · ·	y contract entered into with the City in connection with the
Party and any and all insurance policies du	l predecessor entities regarding recouring the slavery era (including insur	Party has searched any and all records of the Disclosing rds of investments or profits from slavery or slaveholder rance policies issued to slaveholders that provided coverage Disclosing Party has found no such records.
Disclosing Party has Disclosing Party veri	found records of investments or pro-	conducting the search in step 1 above, the offits from slavery or slaveholder insurance policies. The all disclosure of all such records, including the names of any
NOTE If the Matter	*	LLY FUNDED MATTERS ection VI. If the Matter is not federally funded, proceed to allocated by the City and proceeds of debt obligations of the City

#### A. CERTIFICATION REGARDING LOBBYING

are not federal funding.

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995

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who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):  None	
(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)	
2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A. 1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.  Page 9 of 13	
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.l. 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 Interna 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".	1
5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.	
B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY	
If the Matter is federally funded, federal regulations require the Applicant and all proposed I subcontractors to submit the following information with their bids or in writing at the outset of negotiations.	1
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 federa regulations? (See 41 CFR Part 60-2.)	ıl

[]Yes

[] No

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- 2. Have you fifed 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
- 3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

[] Yes [] No

If you checked "No" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution
- . of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line a t www.citYofchicaeo.or&'E thics, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/br 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

I 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 Parcymust update this EDS as the contract requires. NOTE: With respect to Matters subject to Article 1 of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.L, F.2. or F.3. above, an explanatory statement must be attached to this EDS.

#### **CERTIFICATION**

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

Taylor & Bishop LLC

(Print or type name of person signing)

Managing Member

(Print or. type title of person signing)

Signed and sworn to before me on (date)  $fV/\sqrt{y} \stackrel{\land}{} 2-013$ 

Commission expires:  $|J|/h|/p(X^Xb)$ 

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

[]Yes [x]No

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.

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this hDS. Include d/b/a/ if applicable: Hall of Fame Acquisition No.

2 LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [XJ the Applicant

OR

- 2. [] a legal entity holding a direct or indirect interest in the Applicant. Slate the legal name of die
- 2. Applicant in which the Disclosing Party holds an interest:

OR

- 3. [J a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Parly holds a right of control:
- B. Business address of the Disclosing Party: 8500 Normandale Lake aivd., #gso

Minneapolis, MN 55437

- C. Telephone: (952) 833-7777 i-;ix; (952) 831-9072 Email: Rhondaenjkholding.com
- D. Name of contact person: Rhonda Denahoe
- E. Federal Employer Identification No. (if you have one): None
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

The proposed ter; ninai: Ion of a redevelopment agreement between the City of Chicago and National Italian American Sports Hall of Fame, related to 1431 W. Taylor Street.

G. Which City agency or department is requesting this EDS'? Dept of Housing and Economic Development

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

Specification # and Contract it

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SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

#### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Parly: [ ] Person [J

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[ ] Publicly registered business corporation [ ] Privately held business corporation [ ] Sole proprietorship [ ] General partnership	[ [ [ (:			5135
[] Other (please specify)			t] Yes	[ ] No
		liability company [] Limited liabil		
(] Limited partnership [] Trust [	Not-Ior-prof	it corporation (Is the not-for-profit	t corporation also a 5010	(0)(3))?
2. For legal entities, the state (or foreign of	countiy) of incorpo	oration or organization, if applicab	ole:	
Minnesota				
3. For legal entities not organized in the S a foreign entity?	State of Illinois: H	las the organization registered to o	do business in the State	of Illinois as
[]N/A				
B. IF THE DISCLOSING PARTY IS A LEG	SAL ENTITY:			
1. List below the full names and titles of corporations, also list below all members, if a trusts, estates or other similar entities, list bel If the entity is a general partnership, limite below the name and title of each general partnership are day management of the Disclosing Parly.	any, which are legation ow the legal titlehed partnership, limner, managing men	al entities. If there are no such mer older(s). ited liability company, limited liab mber, manager or any other person	mbers, write "no member bility partnership or join n or entity that controls	ers." For t venture, list
Name Title				
Nader C Kazeminy	Governor	Chief Manager		
Rhonda Denahoe	Governor	Chief Financial Officer		
Hall of Fame Acquisition Holding Co. I*LC Member				
2. Please provide the following informati (including ownership) in excess of 7.5% of the partnership interest in a partnership or joint v	ne Disclosing Party			
	Page 2 of J 3			
interest of a member or manager in a limited none, state "None." NOTE: Pursuant to Section				-

require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Percentage Interest in the Name **Business Address** Disclosing Party

Hall of Fame Acquisition Holding Co LLC 100% - 8S00 Normandale Lake" BlvdT SuTte" ~6C0'7""Milsnoapoiri"r""MN~ £"S4 37

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

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

[]Yes MNo

If yes, please identify below the nanie(s) of such City elected official(s) and describe such relationship(s):

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

Trie 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.

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Name (indicate whether **Business** Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, retained or anticipated Address to be retained)

paid or estimated.) NOTE: "hourly rate" or "t.b.d." is

lobbyist, etc.)

not an acceptable response. Retained - Dykema Gossett PLLC 10 South \$25,000 Paid, \$10,000 Est

Wacker Dr., #2300, Chicago, IL Attorney

(Add sheets if necessary)

[ ] Check here	if the Disclosing	Party has not retained, nor expects to retain, any such persons or entities. SECTION V
CERTIFICATION	ONS	
A. COURT-ORI	DERED CHILD S	SUPPORT COMPLIANCE
	•	2-92-415, substantial owners of business entities that contract with the City must remain in trobligations throughout the contract's term.
* *	•	lirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support competent jurisdiction?
[ j Yes	[X] No	[ J No person directly or indirectly owns 10% or more of the Disclosing Party.
If "Yes." has the with that agreem	-	to a court-approved agreement for payment of all support owed and is the person in compliance
[ I Yes	[ ] No	
B. FURTHER C	CERTIFICATION	S
"doing business". City, then the Diswith, or has admiattempted, or cor City or any sister	) and legal require sclosing Parly cer itted guilt of, or h aspiracy to comm r agency; and (ii)	e Chapter 1-23. Article 1 ("Article r')(which the Applicant should consult for defined terms (e.g., ements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the tifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged as ever been convicted of, or placed under supervision for, any criminal offense involving actual, it bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the the Applicant understands and acknowledges that compliance with Article I is a continuing that the City, NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in

# Page 4 of 13

Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. 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;
  - 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
    properly;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;

- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- « any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Parly, 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").

Page 5 of 13

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 Stales of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (I) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United Stales of America ihat contains the same elements as the offense of bid-rigging or bid-rotating.

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- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Parly understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. if the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

### Page 6 of 13

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.

- 8. 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 (if none, indicate with "N/A" or "none"). None
- 9. 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 (if none, indicate with "N/A" or "none"). As to any gill 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)
- 1. [] is m is not
- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Parly IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand

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that becoming a predatory l business with the City."	ender or becoming an affiliat	te of a predatory lender may result in the loss of the privilege of doing
	ž – C	rause it or any of its affiliates (as defined in Section 2-32-455(b) of the ng of Chapter 2-32 of the Municipal Code, explain here (attach additional
	Page 7 o	of 13
If the letters "NA," the word		pears on the lines above, it will be conclusively presumed that the
D. CERTIFICATION REG	ARDING INTEREST IN CI	TY BUSINESS
Any words or terms that are D.	e defined in Chapter 2-156 of	the Municipal Code have the same meanings when used in this Part
		nicipal Code: Does any official or employee of the City have a financial ner person or entity in the Matter?
NOTE: If you checked "Ye	es" to Item D.l., proceed to Ite	ems D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.
have a financial interest in libelongs to the City, or (ii) is	his or her own name or in the s sold for taxes or assessment pensation for property taken	bidding, or otherwise permitted, no City elected official or employee shall name of any other person or entity in the purchase of any property that (i) ts, or (iii) is sold by virtue of legal process at the suit of the City (collectively, pursuant to the City's eminent domain power does not constitute a financial
Does the Matter involve a G	City Property Sale?	
I J Yes	[ ] No	
3. If you checked "Yes such interest and identify th	. 1	ames and business addresses of the City officials or employees having
Name	Business Address	Nature of Interest
4 The Dial is But	a Cardan and the dist	phibited financial interest in the Matter will be acquired by any City officia

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

# E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

File	#:	O2013-	·5040. \	Version:	1
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Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to

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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 Parly has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Parly 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 Mutter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI. tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

#### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A. 1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for (he duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Pa	rty the Applicant?	
U Yes	[ ] No	
If "Yes," answer the	e three questions below:	
1. Have you dev	reloped and do you have	on file affirmative action programs pursuant to applicable federal regulations? (See 41
CFR Part 60-2.)		
[   Yes	f 1 No	
2. Have you fil	ed with the Joint Reporting	ng Committee, the Director of the Office of Federal Contract Compliance Programs, or
the Equal Employm	ent Opportunity Commis	sion all reports due under the applicable filing requirements?
[ .1 Yes	] No	
3. Have you pa	articipated in any previous	s contracts or subcontracts subject to the equal opportunity clause?
[] Yes	[ J No	
If you checked "No	" to guestion I. or 2. abov	e, please provide an explanation:
,	1	71 1 1

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

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Parly understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Elhics <a href="http://www.cityofchicago.org/Elhics">http://www.cityofchicago.org/Elhics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Parly to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

### Page 1 I of 13

- 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 lo the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. IIP.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

### **CERTIFICATION**

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

Hal] of Fame Acquisition No. 2 LLC

Commission expires: ..  $\xspace x$ .  $\xspace x$ .  $\xspace x$ .  $\xspace y$ .  $\xspace y$ .

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1 a., if the Disclosing Parly is a corporation; all partners of the Disclosing Parly, if (he 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?

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[ I Yes	[X   No	
connected: (3) the nam		ch person, (2) the name of the legal entity to which such person is l or department head to whom such person has a familial relationship, and

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# 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:

Hall of Fame Acquisition Holding Co. LLC

#### **Check ONE of the following three boxes:**

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

2. [X] a legal entity.holding a direct or indirect interest in the Applicant. Stale the legal name of the Applicant in which the Disclosing Party holds an interest: Hall of Faroe Acquisition No. 3 LLC

OR

- 3. I J a legal entity with a light of control (see Section II.B.l.) Stale the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Parly: 8500 Norma ndale Lake Blvd.. Suite eoo

Minneapolis, MN 55437

C. Telephone: (952) 831-7777 Fax: (952) 831-9072 Email: Rhonda®!-.-; kholding.com

D. Name of contact person: Rhonda Donahoe

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

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS per tains, (include project number and location of properly, ii applicable):

The proposed -.eriui not .1 on of a redevelopment agreement between the City of Chicago and National Iv.alian American Sports Hall of Fame, relating to 1431 W. Taylor Street.

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G. Which City agency or department is reques	sting this EDS? Dept. cf Housing and Economic Development
If the Matter is a contract being handled by	the City's Department of Procurement Services, please complete the following:
Specification U	and Contract //
Page 1 of 13 SECTION II - DISCLOSURE OF OWNER	SHIP INTERESTS
A. NATURE OF THE DISCLOSING PARTY Limited liability company [] Limited liability corporation also a 501(c)(3))?	lity partnership f ] Joint venture [ J Not-for-profit corporation (Is the not-for-profit
	1. Indicate the nature of the Disclosing Party:
[ j Person [ ] Publicly registered business corporation [ ] Privately held business corporation [ J Sole proprietorship	[ <sup>J</sup> [ f [
[] General partnership [] Limited partnership I) Trust	(I [
	ountry) of incorporation or organization, if applicable:
Delaware	
3. For legal entities not organized in the S as a foreign entity?	State of Illinois: Has the organization registered to do business in the State of Illinois
I. J N/A	
B. IF THE DISCLOSING PARTY IS A LEGA	AL ENTITY:
corporations, also list below all members, if an trusts, estates or other similar entities, list below If the entity is a general partnership, limited below the name and title of each general partnership.	Il executive officers and ail directors of the entity. NOTF3: For not-for-profit my, which are legal entities. If there are no such members, write "no members." For we the legal titleholder(s).  Il partnership, limited liability company, limited liability partnership or joint venture, lister, managing member, manager or any other person or entity that controls the day-to-TE: Each legal entity listed below must submit an EDS on its own behalf.
Name Title	
Nader C. Kazeminy	Manager/Presideri:
Rhonda Dona'noe	Manage r / Sec re ta ry - Trea s u re r

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

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

Name Business Address Percentage Interest in the Disclosing Party

See attached

#### 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?

[J Yes IX] No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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

The Disclosing Parly 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 Parly'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.

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*	usiness retained or anticipated Address to be Party Fees (indicate whether paid or estimated.) NOTE: "'hourly rate" or "t.b.d." is	retained)  not an acceptable response.
(Add sheets if necessary)		
[*] Check here if the Dis	sclosing Parly has not retained, nor expe	ects to retain, any such persons or entities. SECTION V
CERTIFICATIONS		
A. COURT-ORDERED CH	HILD SUPPORT COMPLIANCE	
<u>*</u>	Section 2-92-415, substantial owners of busi support obligations throughout the contract	ness entities that contract with the City must remain in 's term.
* *	y or indirectly owns 10% or more of the Discourt of competent jurisdiction?	sclosing Party been declared in arrearage on any child support
[] Yes ( <sup>X</sup> J N	No [ J No person directly or indirectl Disclosing Party.	y owns 10% or more of the
If "Yes," has the person en	ntered into a court-approved agreement for	payment of all support owed and is the person in compliance

ce with that agreement?

[]Yes

# **B. FURTHER CERTIFICATIONS**

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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.

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- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. of this EDS:
  - a. arc 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, stale or local) transaction or contract under a public transaction; a violation of federal or state antitrust stalutes; 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 dale of this EDS, had one or more public transactions (federal, slate or local) terminated for cause or default; and
  - e. have not. within a five-year period preceding the dale 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 stale, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - <sup>3</sup> 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 Parly, 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 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 Slate of Illinois, or any agency of the federal government or of any state or local government in the United Stales of America, in thai officer's or employee's official capacity;

- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither Ihe Disclosing Parly, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially-Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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If the letters "NA," the word "Norte," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

- 8. 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 (if none, indicate with "N/A" or "none").

  Mane
- 9. 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" docs 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 Cily business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient. None

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C. CE	TIFICATION OF STATUS AS FINANCIAL INSTITUTION	
1.	The Disclosing Party certifies that the Disclosing Party (check one)	
1.	[ J is I*] is not	
a "fina	icial institution" as defined in Section 2-32-455(b) of the Municipal Code.	
2.	If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:	
our af	e not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal ('ode. We further pledge that nor liates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understate to be soming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing so with the City."	
Munic	risclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the pal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional encessary):	
	Page 7 of 13	
	tters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the ing Parly certified to the above statements.	
D. CE	TIFICATION REGARDING INTEREST IN CITY BUSINESS	
Any w D.	ords or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part	
interes	In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial in his or her own name or in the name of any other person or entity in the Matter?  Yes pq No	
NOTE	If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D. 1., proceed to Part E.	
have a belong "City l	Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee sharmancial 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 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 (collective coperly Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial within the meaning of this Part D.	) /ely,
Does t	e Mailer involve a Ciiy Property Sale?	
[]	Yes [] No	

	File	#:	O2013	-5040.	Version:	1
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3. If you checked "Yes" to Item D.l., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name

**Business Address** 

Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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comply with these disclosure requirements may make any contract entered into with tile City in connection with the Matter voidable by the City.

- x I. 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 (lie Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the Cily and proceeds of debt obligations of the City arc not federal funding.

### A. C E RTIFI CAT I ON R EC! A R D IN G LOBBYING

1. List below the names o'f aH persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Parly with respect to the Matter: (Add sheets if necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively

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=	sing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have on behalf of the Disclosing Party with respect to the Matter.)
Paragraph A. 1. above for employee of any agency, employee of a member of	arty has not spent and will not expend any federally appropriated funds to pay any person or entity listed in r his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an f Congress, in connection with the award of any federally funded contract, making any federally funded to any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, re agreement.  Page 9 of 13
_	ty will submit an updated certification at the end of each calendar quarter in which there occurs any event accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
•	arty certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged obbying Activities".
paragraphs A.l. through	Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain ertifications for the duration of (he Matter and must make such certifications promptly available to the City
B. CERTIFICATION RE	EGARDING EQUAL EMPLOYMENT OPPORTUNITY
	funded, federal regulations require the Applicant and all proposed subcontractors to submit the ith their bids or in writing at the outset of negotiations.
Is the Disclosing Party th	e Applicant?
[]Yes	I ] No
If "Yes," answer the thre	e questions below:
•	ed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41
CFR Part 60-2.) [ ] Yes	[ J No
•	ith the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or Opportunity Commission all reports due under the applicable filing requirements?  [J No
3. Have you pai tici  ☐ Yes []No	pated in any previous contracts or subcontracts subject to the equal opportunity clause?

If you checked "No" to question I. or 2. above, please provide an explanation:

#### Page 10 of 13

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and arc material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.citvofchicago.org/Ethics <a href="http://www.citvofchicago.org/Ethics">http://www.citvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law. or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with tile 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 FDS 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 Parly 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 Parly must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.

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F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

^LJRI ir i^A I 1U!>

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

(Print or type title of/person signing)

Hall of Fame Acquisition Holding Co. LLC (Print or type name of Disclosing Party)

Signed and sworn to before me on (date) ,:■ (\ c J I

Commission expires:

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department

head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the followinu, whether by blood or adoption: parent, child-, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.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 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

[ ] Yes [\*] 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.

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS B. IF THE DISCLOSING

PARTY IS A LEGAL ENTITY

 $2.\ Persons\ or\ Entrities\ having\ a\ direct\ ol\ indirect\ beneficial\ interest\ (including\ ownership)\ in\ excess\ of\ 7.5\%$ 

Nasser J. Kazeminy	760 Island Drive Palm Beach, FL	20%
Yvonne P. Kazeminy	760 Island Orive Palm Beach, FL	20%
Triomphe Investments I LLC	3960 Howard Hughes Parkway, Fifth Floor, Las Vegas, NV 89169	20%
Triomphe Investments II LLC	3960 Howard Hughes Parkway, Fifth Floor, Us Vegas, NV 89169	20%
Triomphe Investments III LLC	3960 Howard Hughes Parkway, Fifth Floor, Las Vegas, NV 89169	10%
Triomphe Investments IV LLC	3960 Howard Hughes Parkway, Fifth Floor, Las Vegas, NV 89169	10%

Attachment #1

# 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:

Triomphe Investments T LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant
  - OR
- 2. a legal entity holding a direct or indirect interest in the Applicant. Slate the legal name of the Applicant in which the Disclosing Party holds an interest: Hall of Fame Acquisition Ko. 2 llc
- 3. [] a legal entity with a right of control (see Section II.B.l.) Slate the legal name of the entity in which the Disclosing Parly holds a right of control:
- B. Business address of the Disclosing Parly: 3 9S0 Howard Hughes Parkway, Fifth Floor

Las Vegas, NV 69169

C. Telephone: (952) 831-7777	ax: (9S2i 831-9072	Email: nhondafrnjkholding.com
D. Name of contact person: Rhor.da Donah	00	
12. Federal Employer Identification No. (if y	ou have one):;	i
F. Brief description of contract, transaction of inhieh this EDS PCrtalnS / Irwiurf^ pmiopr T-iiirnh^v; tr		
relating to 1431 W. Taylor Street.		City of Chicago and National Italian American Sports Hall of rame,
G. Which City agency or department is requ	nesting this EDS? Dept. of	Housing and Economic Developm
If the Matter is a contract being handled b	y the City's Department o	f Procurement Services, please complete the following:
Specification //	and Conti	ract ft
Ver. 01-01-12 SECTION II - - DISCLOSURE OF OWNERSHIP IN	Page I of 13	
A. NATURE OF THE DISCLOSING PA [*] Limited liability company [ ] Limited corporation also a 501(c)(3))?		] Joint venture [] Not-for-profit corporation (Is the not-for-profit
		I. Indicate the nature of the Disclosing Party
[ ] Person	[>	
[ ] Publicly registered business corporati	on [	
f] Privately held business corporation	Ĺ	
[ ] Sole proprietorship	:c.)	
[]Yes []No [ J Other (please spec [   General partnership	(]	
[] Limited partnership	(J	
[] Trust	[	
2. For legal entities, the state (or fore	eign country) of incorpo	oration or organization, if applicable:
Nevada		
3. For legal entities not organized in as a foreign entity?	the State of Illinois:	Has the organization registered to do business in the State of Illinoi
I j Yes		
B. IF THE DISCLOSING PARTY IS A	LEGAL ENTITY:	

I. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For

trusts, estates or other similar entities, list below the legal titlcholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name Title

Nader C. -Kazeminy

 $^SL^^JL$ 

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

Page 2 of 13

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

Name
Business Address
Percentage Interest in the
Disclosing Party
Tanya M Mackay Irrevocable Trust Agreement 100?; ?.0. Box 5308, SDSF07S3, Sioux

Falls, SD 57117

## 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?

[]Ycs [X]No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

# SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PAR TIES

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

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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 par 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.
Page 3 of 13
Name (indicate whether retained or anticipated to be retained) Business Relationship to Disclosing Party-Address (subcontractor, attorney, lobbyist, etc.) Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)
[XJ Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities. SECTION V
CERTIFICATIONS
A. COURT-ORDERED CHILD SUPPORT COMPLIANCE
Under Municipal Code Section 2-92-41 5, 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?
[XJ No [j 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. Pursuant to Municipal Code Chapter! -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

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requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article 1 supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. of this lfDS:
  - 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;
  - have not, within a five-year period preceding the dale of this liDS, 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;
  - e. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, slate 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, stale or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the dale 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 slate, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - ? any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or stale 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 Eniiiy 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 Parly, any Contractor or any Affiliated Entity, acting pursuant lo 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of slate or local government as a result of engaging in or being convicted of (I) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United Slates of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General). 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Parly is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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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.

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current

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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 (if none, indicate with "N/A" or "none"). None

9.. 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 (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)
- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory-lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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

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

Any words or terms that are defined in Chapter 2-1 56 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-1 56-1 10 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?

[J Yes pqNo

NOTE: If you cheeked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D.l., 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 Die 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, "Cily 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 [JNo

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

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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 ail slaves or slaveholders described in those records:

### SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI If the Matter is not federally funded, proceed to Section VII. For

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purposes of this Section	n VI, tax credits allocated by the Cily and proceeds of debt obligations of the City are not federal funding
A. CERTIFICATION	REGARDING LOBBYING
	names of all persons or emitics registered under the federal Lobbying Disclosure Act of 1995 who have son behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

(If no explanation appears or begins on the lines above, or if the letters "N A" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have

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.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.J. and A.2. above.
- 4. The Disclosing Parly certifies that either: (i) ii 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 nol engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the Cily upon request.

### 13. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

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.

т	.1	D' 1		D (	.1	A 1	
IS	the	Disc	losing	Partv	the	App	licant?

[J Yes i J No

If "Yes," answer (he 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

I] No

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

[]Yes []No

3. Have you pariicipated in any previous contracts or subcontracts subject lo the equal opportunity clause?

I. J Yes [1 No

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If you checked "No" lo question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Mattel', whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.citvofchicago.org/Ethics <a href="http://www.citvofchicago.org/Ethics">http://www.citvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Parly's participation in the Matter and/or declining to allow the Disclosing Parly 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 Cily takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Parly must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- V. 1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 if the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not. without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.L. F.2. or F.3. above, an explanatory statement must be attached to this EDS.

#### CERTIFICATION

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

Triomphe Investments I LLC (Print or type name of Disclosing Party)

By:

(Print or type name of persorf signing)

(Print or type title'of person signing)

Sign,ed and sworn to before me^on (date)  $\cdot$ , \of\c' <file:///of/c'> ./A -A at \Acy\^.fj^x:-\^ County, / f\  $\blacksquare$ ,->Ar<sup>J</sup>Scv/c<sub>t</sub> (state).

Commission expires: - Vl.. O . 1 .^CA !>

TRACI R MALLONEE Notary Public Minnesota wJotW' My Comm. Expires \* Jan 31,2015

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity, which has a direct ownership interest in the Applicant exceeding 7,5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

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

"Applicable Party" means (I) all executive officers of the Disclosing Party listed in Section II.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 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?

1 ]Yes [X]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.

# 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:

Triomphe Investments II LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

2. m a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the

File #: O2013-5040, V	ersion: 1		
Disclosing Party h OR	olds an interest: Ha	ll of Fame Acquisition	Ho. 2 lle
3. [j a legal entity w which the Disclosing	-		State the legal name of the entity in
B. Business address of the Dis	closing Parly: 3S6C	Howard Hughes Parkway,	Fifth Floor
		La_Vegas	^Ji_9ie9
C. Telephone: (9S2) 331-77	77 Fax:	(9S2) 331-9072	Email: Rhor.daan j icho.1 ding, com
D. Name of contact person: l	Rhonda Dona hoe		
E. Federal Employer Ide	entification No. (if y	ou have one): 1	$t_{\perp}$
F. Brief description of c (include project number			referred to below as the "Matter") to which this EDS pertains,
The proposed termination of Taylor St.	a redevelopment agreem	ent between the City of Chi	cago and National Italian American Sports -tall of Fame, relating to 1431 K.
G. Which City agency o	r department is requ	esting this EDS? Dep	t. 01" Housing and Economic Development
If (he Matter is a cont	tract being handled	by the City's Departme	ent of Procurement Services, please complete the following:
Specification if		and Contro	ect ii
Page 1 of 13			
SECTION II - DISCLO	OSURE OF OWNE	ERSHIP INTERESTS	S
A. NATURE OF THE D	DISCLOSING PAR	ΓΥ	
1. Indicate the natur [] Person [] Publicly registered by [] Privately held busine [] Sole proprietorship [] General partnership [] Limited partnership [J Trust	usiness corporation	[*) Limited lia [ ] Limited lia [ ] Joint ventu f ] Not-for-pro	offit corporation -profit corporation also a 501(c)(3))? s [] No
2. For legal entities, the	he state (or foreign	country) of incorporat	ion or organization, if applicable: Nevada
3. For legal entities a Illinois as a foreign entit	-	State of Illinois: Has	the organization registered to do business in the State of
[ J Yes	f*  No	[] N/2	A

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13. IF THE DISCLOS	ING PARTY IS A LEGAL ENTITY:	
corporations, also list trusts, estates or other If the entity is a ger below the name and ti	full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit below all members, if any, which are legal entities. If there are no such members, write "no members." For similar entities, list below the legal titleholder(s). heral partnership, limited partnership, limited liability company, limited liability partnership or joint venturalle of each general partner, managing member, manager or any other person or entity that controls the dayle Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.	e, list
Name Title		
Nader C. Kazeminy	Manager .	
(including ownership)	the following information concerning each person or entity having a direct or indirect beneficial interest in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, a partnership or joint venture,  Page 2 of 13	
none, state "None." No	r manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity DTE: Pursuant to Section 2-1 54-030 of the Municipal Code of Chicago ("Municipal Code"), the City may onal information from any applicant which is reasonably intended to achieve full disclosure.	
Name	Business Address Percentage Interest in the	
Nader C. Kazeminy SD 57117	Disclosing Party  Irrevocable Trust. Agreement 100. P.O. Box 5308, SDSF0753, Sioux Falls,	
	NESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS  Parly had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City electronship.	lected
	hs before the date this EDS is signed?	
[ ] Yes	p <sup>4</sup> ] No	

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

Fil	e #:	O20	13-5	5040	Vei	rsion	: 1

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-profil 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 Parly must either ask the Cily whether disclosure is required or make the disclosure.

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Name (indicate whether **Business** retained or anticipated Address to be retained)

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, lobbyist, etc.)

paid or estimated.) NOTE: "hourly rate" or "t.b.d." is

not an acceptable response.

(Add sheets if necessary)

(\*) Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities. SECTION V --

# **CERTIFICATIONS**

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

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

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

[ J Yes No [ i No person directly or indirectly owns 10% or more of the Disclosing Parly.

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?

[ J Yes [] No

#### **B. FURTHER CERTIFICATIONS**

I. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consul! 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.

#### Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. 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 properly;
  - c. arc 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;
  - have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, stale 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 Cily or by the federal government, any State, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Mailer, 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 Ihe 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 five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33F-4; or (3) any similar offense of any state or of the United Stales of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, Ihe Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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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.

- 8. 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 Cily of Chicago (if none, indicate with "N/A" or "none"). None
- 9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Parly 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 (he Cily 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 Cily business and having a retail value of less than S20 per recipient (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)
- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If inc Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the M unicipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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

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

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Any D.	words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Pan
D.	
	In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial est in his or her own name or in the name of any other person or entity in the Matter?  ] Yes pq No
NOT	E: If you checked "Yes" to Item D. I., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.
belon "Cily	Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no Cily elected official or employee shall 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) ags 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, Properly Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial est within the meaning of this Part D.
Does	the Matter involve a City Property Sale?
[.	J Yes []No
	If you checked "Yes" to Item D.l provide the names and business addresses of the City officials or employees having interest and identify the nature of such interest:
Nam	Business Address Nature of Interest
	The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official aployee.
E. Cl	ERTIFICATION REGARDING SLAVERY ERA BUSINESS
	ease check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an himent to this EDS all information required by paragraph 2. Failure to

Page 8 of J 3

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 ihe slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Parly 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:

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#### SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City arc not federal funding.

#### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay-any person or entity listed in Paragraph A.l. above for his or her lobbying activities or lo pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501 (c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

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[ ] Yes	[j No	
If "Yes," answer th	e three questions below:	
1. Have you de Ci-'R Pari 60-2.)	veloped and do you have	e on file affirmative action programs pursuant to applicable federal regulations? (See 41
[]Yes	[ ] No	
•	-	ing Committee, the Director of the Office of Federal Contract Compliance Programs, or ssion all reports due under the applicable filing requirements?
3. Have you p [] Yes	participated in any previou	as contracts or subcontracts subject to the equal opportunity clause?
If you checked "No	o" to question I. or 2. abo	ve, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other Cily action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics <a href="http://www.cityofchicago.org/Ethics">http://www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Parly's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to. all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not. without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F. I., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

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

```
Triomphe Investments II LLC (Print or type name of Disclosing Party)
```

(Print or type title of person signing)

Signed and sworn to before me on (date) -  $\j$  i  $\c$   $\c$ /l ( I O at f"jc Orvf County, j I ;. p/V'-J^is (state).

www. ft.11711 fb.tth.i\_fbi.thr.t-1.1t"
TRACI R MALLONEE Notary Public
3s Minnesota
'^K?\$i\$? My Comm. Expires Jan 31, 2015

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which lias 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 Parry" 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 Parly 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 cily department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or. uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.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 die 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?

If yes, please identify below (I) the name and title of such person, (2) the name of the legai 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.

# 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:

Triomphe Investments III LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [ J the Applicant
  - OR
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in

File #: O2013-5040, Version: 1		
which the Disclosing Party holds a right	of control:	
B. Business address of the Disclosing Party	: 3960 uo-ward Hu Las Vegas, NV	ghes Parkway, Fifth Floor 8S16S
C. Telephone: _? Fax:	(952) 831-9072	Email: Rhonda@njkhoiding.coin
D. Name of contact person: Rhonda Uonah	be	
E. Federal Employer Identification No. (if y	you have one): ]	i
F. Brief description of contract, transaction (Include project number and location of pro		referred to below as the "Matter") to which this EDS pertains.
The proposed termination of a redevelopment agreem Taylor Street.	ent between the City of Chi	cago and National Italian American Sports Hall of Fame, relating to 1431 W.
G. Which City agency or department is req	uesting this EDS? Dep	ot. of Housing and Economic Developne
If the Matter is a contract being handled	by the City's Departmo	ent of Procurement Services, please complete the following:
Specification #	and Contra	ct#
Page 1 of 13  SECTION II - DISCLOSURE OF OWN  A. NATURE OF THE DISCLOSING PAR  P_ Limited liability company [ ] Limited lia corporation also a 501(c)(3))?	ГΥ	Soint venture [ J Not-for-profit corporation (Is the not-for-profit
1. Indicate the nature of the Disclosing Par Person Publicly registered business corporation Privately held business corporation Sole proprietorship [] Yes L J No [] Other (please specify) General partnership Limited partnership Trust	rty:	
For legal entities, the slate (or foreig	n country) of incorpor	ration or organization, if applicable:
Kevada		
3. For legal entities not organized in that as a foreign entity?	ne State of Illinois: H	as the organization registered to do business in the State oflllii.ois
L J N/A		

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13. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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I. List below the full names and lilies of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-lo-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name T	itle			
Kader	C.	Kazeminy	_	Manager

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

Page 2 of 13

Percentage Interest in the Disclosing Party

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

Name Business Address

Tanya M Mackay Children's Trust Agreement P.O. "Box-53CS, SDSF0753, Sioux Falls, SD 57117"

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

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

[ J Yes F] No

If yes, please identify below the name(s) of such City elected official(s) and describe such relaiionship(s):

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

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

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

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

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

## Page 3 of 13

Name (indicate whether Business Relationship to Disclosing Party Fees (indicate whether retained or anticipated Address (subcontractor, attorney, paid or estimated.) NOTE: to be retained) lobbyist, etc.) "hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary)

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

#### **CERTIFICATIONS**

### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the Cily 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?

f] Yes [\*! No f] 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. 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 FDS 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 1 applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B. I. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, slate 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 stale, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Parly, 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").

### Page 5 of 13

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 slate or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise: or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors, the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General). 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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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.

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- 8. 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 (if none, indicate with "N/A" or "none").

  None
- 9. 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 S20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient. \_3one

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

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

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Parly is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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

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

Any words or terms that are defined in Chapter 2-1 56 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-1 10 of the Municipal Code: Does any official or employee of the City have a financial

File #: O2013-504	0, <b>Version:</b> 1	
interest in his or her f J Yes	own name or in the name of any other pq No	· person or entity in the Matter?
NOTE: If you chec	ked "Yes" to Item D.l., proceed to Iter	ms D.2. and D.3. If you checked "No" to Item D. 1., proceed to Part E.
have a financial inter belongs to the City, on "City Property Sale"	rest in his or her own name or in the nor (ii) is sold for taxes or assessments,	idding, or otherwise permitted, no City elected official or employee shall ame of any other person or entity in the purchase of any property that (i) or (iii) is sold by virtue of legal process at the suit of the City (collectively arsuant to the City's eminent domain power does not constitute a financial
Does the Matter invo	olve a City Property Sale?	
[. ] Yes	[] No	
	ed "Yes" to Item D.l., provide the nam	nes and business addresses of the City officials or employees having
Name	Business Address	Nature of Interest
4. The Disclosing or employee.	g Party further certifies that no prohi	ibited financial interest in the Matter will be acquired by any Cily offici
E. CERTIFICATIO	N REGARDING SLAVERY ERA BU	JSINESS
	her 1. or 2. below. If the Disclosin DS all information required by paragra	ng Party checks 2., the Disclosing Party must disclose below or in aph 2. Failure to
		Page 8 of 13
comply with these divoidable by the City	- · · · · · · · · · · · · · · · · · · ·	contract entered into with the City in connection with the Matter
and ail predecessor e slavery era (includin	entities regarding records of investmen	Party has searched any and all records of the Disclosing Party and any nts or profits from slavery or slaveholder insurance policies during the lders that provided coverage for damage to or injury or death of their ls.
2 The Disclosi	ng Party verifies that as a result of co	nducting 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:

File #: O2013-5040, Version: 1	
SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS	
NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City arc not federal funding.	

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act.of 1995 who have

made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay-any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to iniluence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is	the	Disc	losing	Party	the	App	lican	t?

[JYes [iNo

If "Yes," answer the three questions below:

A. CERTIFICATION REGARDING LOBBYING

File #: O2013-5040,	Version: 1	
1. Have you develo CFR Part 60-2.) [] Yes	oped and do you hav	ve on file affirmative action programs pursuant to applicable federal regulations? (See 41
•	-	rting Committee, the Director of the Office of Federal Contract Compliance Programs, or ission all reports due under the applicable filing requirements?
3. Have you parti	cipated in any previo	ous contracts or subcontracts subject to the equal opportunity clause?
If you cheeked "No" to	o question 1. or 2. abo	ove, please provide an explanation:
		Page I Oof 13

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics <a href="http://www.cityofchicago.org/Ethics">http://www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. Jt is the City's policy lo 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 lo the public on the Internet, in response lo 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 Cily lakes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to

Article 1 of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that: '

#### Page i 1 of 13

- F. 1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any-fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

# **CERTIFICATION**

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

Triomphe Investments III LLC
(Print or type name of Disclosing Party)

r.

(Print or type name of persort signing)

/nonage  $\T$ 

(Print or type tv.le of person signing)

Commission expires:-...  $V > \sim f > 5$  .  $/JC > \backslash S$ 

Paae 12 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

"Applicable Party" means (I) all executive officers of the Disclosing Party listed in Section II.B.l.a., if the Disclosing Parly is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of (he 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 (hereof currently have a. "familial relationship" with an elected cily official or department head?

[ 1 Yes fX] 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.

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

**SECTION I - GENERAL INFORMATION** 

A. Legal name of the Disclosing Parly submitting this EDS. Include d/b/a/ if applicable: Triomphe Investments IV

LLC

Check ONE of the following three boxes:

File #: O2013-5040, <b>Version</b> : 1			
Indicate whether the Disclosing Party subs 1. [] the Applicant OR	mitting this EDS is:		
2. a legal entity holding a direct or indi	irect interest in the A	Applicant. State the legal n	ame of the
Applicant in which the Disclosing Party OR			
3. [] a legal entity with a right of cont	rol (sec Section II B	1) State the legal name of	the entity in
which the Disclosing Parly holds a right	`	.i.) State the legal hame of	the chuty in
B. Business address of the Disclosing Party: 39	60 Howard Hughes Parkw	way, Fifth Floor	
	La_s_Vega:	s_ NV 89169	
C. <u>Telephone</u> : (952) 832-7777	Fax:	<u>(952) 831-9072</u>	Email: Rhondaanjkholding .com
D. Name of contact person: Rhonda Dona	hoe		
E. Federal Employer Identification No. (it	f you have one):	·	
F. Brief description of contract, transaction (Include project number and location of project			ne "Matter") to which this EDS pertains.
The proposed termination of a redevelopment agre Taylor Street.	ement between the City o	of Chicago and National Italian A	american Sports Hall of Fame, relating to 1-131 W.
G. Which City agency or department is re	equesting Lhis FDSV	VDept. of Housing and sco	onomic Development
If the Mailer is a contract being handled	d by the City's Depar	rtment of Procurement Se	rvices, please complete the following:
Specification #	and Co	ontract ii	
Page 1 of 13 SECTION II -			
- DISCLOSURE OF OWNERSHIP INT	FERESTS		
A. NATURE OF THE DISCLOSING PAI [X  Limited liability company [ ] Limited is corporation also a 501(c)(3))?		[] Joint venture [] Not-fo	r-profit corporation (Is the not-for-profit
		1.	Indicate the nature of" the Disclosing Party:
] Person	\: <b>'</b>		
JPublicly registered business corporation	ı [		
Privately held business corporation	[		
j Sole proprietorship	[		
[] Yes [ JNo			
[] Other (please specify)	/1		
General partnership	(1		
J Limited partnership ] Trust	Γ		
1 11000	L		

For legal entities, the stale (or foreign country) of incorporation or organization, if applicable:

Nevada

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?

f ] N/A

#### 13. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Parly. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name Title

Nader C. Kazeminy

Manager

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-1 54-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name
Business Address
Percentage Interest in the
Disclosing Party

Nader C Kazeminy Children's Trust Agreement 100% P.O.
Box 5308, SD3F0753, Sioux Falls,

SD 57117

#### 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?

I] Yes I\*] No

File #: O2013-5040, Version: 1		
If yes, please identify below the name(s	s) of such City elected official(s) and	describe such relationship(s):
SECTION TV - DISCLOSURE OF SU	BCONTRACTORS AND OTHER	RETAINED PARTIES
and any other person or entity whom th	e Disclosing Party has retained or extatal amount of the fees paid or estimates	ch subcontractor, attorney, lobbyist, accountant, consultant spects to retain in connection with the M atter, as well as atted to be paid. The Disclosing Party is not required to lar payroll.
or entity other than: (1) a not-for-profit	entity, on an unpaid basis, or (2) hir	legislative or administrative action on behalf of any person nself. "Lobbyist" also means any person or entity any part e any legislative or administrative action.
If the Disclosing Party is uncertain the City whether disclosure is required	<u> •</u>	er this Section, the Disclosing Party must either ask
	Page 3 of 13	
Name (indicate whether Business	Relationship to Disclosing Party	•
retained or anticipated Address to be retained)	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE:  "hourly rate" or "t.b.d." is  not an acceptable response.
(Add sheets if necessary)		
f_ Check here if the Disclosing Part	ty has not retained, nor expects	to retain, any such persons or entities. SECTION V -
CERTIFICATIONS		
A. COURT-ORDERED CHILD SUPP	PORT COMPLIANCE	
Under Municipal Code Section 2-92	-415, substantial owners of business	entities that contract with the City must remain in

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

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

[ j Yes [ <sup>X</sup> J No [ ]	No person directly or indirectly owns 10% or more of the
---------------------------------	--

File #:	O2013-504	0. Version: 1

#### 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?

I] Yes [] No

# **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 Parly 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 indicled 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.

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- 2. The Disclosing Parly and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. 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, stale 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 slate, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Parly 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 stale or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity): with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it. or, with the Contractor, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the Slate of Illinois, or any agency of the federal government or of any slate or local government in the United Slates of America, in that officer's or employee's official capacity;
- agreed or colluded with other bidders or prospective bidders, or been a parly 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 2-92-61 0 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-1 56 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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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.
8. 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 (if none, indicate with "N/A" or "none"). None
9. 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 (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)
1. [] is $[^XJ$ is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We arc not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."
If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):
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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the

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Disclosing Party ce	ertified to the above statements.	
D. CERTIFICATIO	ON REGARDING INTEREST IN C	ITY BUSINESS
Any words or terms	s that are defined in Chapter 2-156 c	of the Municipal Code have the same meanings when used in this Part
	ace with Section 2-156-1 10 of the Mar own name or in the name of any of [XJ No	Iunicipal Code: Docs any official or employee of the City have a financial ther person or entity in the Matter?
N.OTE: If you ch	ecked "Yes" to Item D.l., proceed to	items D.2. and D.3. If you checked "No" to Item D. 1., proceed to Part E.
have a financial int belongs to the City "City Property Sale	erest in his or her own name or in th , or (ii) is sold for taxes or assessmen	e bidding, or otherwise permitted, no City elected official or employee shall e name of any other person or entity in the purchase of any property that (i) nts, or (iii) is sold by virtue of legal process at the suit of the City (collectively a pursuant to the City's eminent domain power docs not constitute a financial
Does the Matter in	volve a City Property Sale?	
[] Yes	[ ] No	
•	ked "Yes" to Item D.I., provide the relatify the nature of such interest:	names and business addresses of the City officials or employees having
Name	Business Address	Nature of Interest
4. The Disclosing or employee.	ng Party further certifies that no pr	ohibited financial interest in the Matter will be acquired by any City officia
E. CERTIFICATIO	ON REGARDING SLAVERY ERA	BUSINESS
	ither 1. or 2. below. If the Discl	osing Party checks 2., the Disclosing Party must disclose below or in a agraph 2. Failure to
		Page 8 of 13
comply with these voidable by the Cit	_	any contract entered into with the Cily in connection with the Matter
	= -	g Party has searched any and all records of the Disclosing Party and any ments or profits from slavery or slaveholder insurance policies during the

Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Parly

slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their

2. The Disclosing Parly verifies that, as a result of conducting the search in step I above, the

slaves), and the Disclosing Party has found no such records.

File #: O2013-5040. Version:	File	#:	O2013-	-5040.	Version:	1
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verifies that the following constitutes full disclosure of all such records, including the names of any and all skives or slaveholders described in those records:

#### SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of (his 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 ail persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or lo pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.l. 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 Interna! Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

File #: O2013-5040, Version: 1
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.) U 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?

  IJYes []No
  - 3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause? [] Yes [| No

If you checked "No" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contractor other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicaao.org/Ethics <a href="http://www.cityofchicaao.org/Ethics">http://www.cityofchicaao.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Parly 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 (he 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 (his 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 FDS up to the time the City takes action on (he Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

#### Page 11 of 13

- F. 1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F. 1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

### **CERTIFICATION**

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

Triomphe Investments IV LLC

(Print or type name of pe'rsorf signing) / (Print or type name of Disclosing Party)

Commission expires: - vf\j

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exisls 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 'die following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.l.a., if the Disclosing Party is a corporation; all painters 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 officei, 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 Parry" 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.

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# 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: Tanya M Mackay Children's

Trust Agreement

Check ONE of the following three boxes:  Indicate whether the Disclosing Party submitting this EDS is:  1. [] the Applicant OR  2. a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: Hall of i-'ame Acquisition No. 2 LLC OR  3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
<ol> <li>[] the Applicant         OR</li> <li>a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the         Applicant in which the Disclosing Party holds an interest: Hall of i-'ame Acquisition No. 2 LLC         OR</li> <li>[] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in</li> </ol>
Applicant in which the Disclosing Party holds an interest: Hall of i-'ame Acquisition No. 2 LLC  OR  3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in
B. Business address of the Disclosing Party. P.O. Box 5308, SDSF0753
Sioux Falls, SD 57117
C. Telephone: (952) 831-7777 _ Fax: (952) 831-9072 Email: Rhonda&nj kholding.com
D. Name of contact person: Rhonda Donahoe
E. Federal Employer Identification No. (if you have one):
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):
The proposed termination of a redevelopment agreement between the City of Chicago and National Italian American Sports Hall of Fame, relating to 1431 W. Taylor Street.
G. Which City agency or department is requesting this EDS? Dept. of Housing and Economic Development
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification it and Contract tt
Page 1 of 13 SECTION II DISCLOSURE OF OWNERSHIP INTERESTS
A. NATURE OF THE DISCLOSING PARTY [ J Limited liability company [ J Limited liability partnership [ ] Joint venture [ ] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))?
1. Indicate the nature of the Disclosing Party
[ ] Person [
[ J Publicly registered business corporation [ ] Privately held business corporation [
[] Sole proprietorship [
[JYcs []No [] Other (please specify)
[] General partnership (I [] Limited partnership
I'*! Trust [

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

- South Dakota
- 3. For legal entities not organized in the Slate of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

[ j N/A

#### B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

I. List below the full names and lilies of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any. which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name Title

Wader C Kazerrdny

Trustee

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

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interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-1 54-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name
Business Address
Percentage Interest in the
Disclosing Party

Nasser J Kazeminy
160 Island Drive, Palm Beach, FL 100%

#### 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?

[ J Yes [>T. No

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г	пe	#.	$O_{Z_{0}}$	เจ-อเ	J4U.	vers	ion:	- 1

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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

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

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

If the Disclosing Party is uncertain whether a disclosure is required under ibis 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)

Relationship to Disclosing Party Fees (indicate whether fees)

(subcontractor, attorney, paid or estimated.) NOTE: lobbyist, etc.)

"hourly rate" or "l.b.d." is

not an acceptable response.

(Add sheets if necessary)

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

#### **CERTIFICATIONS**

# A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

[] Yes [XJ No [J No person directly or indirectly owns 10% or more of the Disclosing Parly.

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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. 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 Parly 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, thefl, 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.

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- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. 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 stale, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with Ihe Matter, including but not limited lo 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, Ihe term Affiliated Entity means a person or entity dial 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 ihe 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 lo ihe 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 five years before the date this EDS is signed, or, with respect lo 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 swith the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting lo bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any slate or local government in the United Slates of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of slate or local government as a result of engaging in or being convicted of (I) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any slate or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rolating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-1 56 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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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.

- 8. To the best of the Disclosing Parly's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who svere, at any lime during the 12-month period preceding the execution 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
- 9. 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 (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)
- 1. I J is  $1^{5}$  j is not
- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. if the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is. and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the

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Disclosing Party certified to the above statements.

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

Any words or terms that are defined in Chapter 2-156 of (he 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?

[ J Yes fx] No

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

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

Does the Matter involve a City Property Sale?

[]Yes |JNo

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

Name Business Address Nature of Interest

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

### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

- <sup>x</sup> 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 1hai 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 I above, the

Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

#### SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, lax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

## A. CERTIFICATION REGARDING LOBBYING

I. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of I995 who have made lobbying contacts on behalf of the Disclosing Parly with respect to the Matter: (Add sheets if necessary):

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

2. The Disclosing Parly has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A. 1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a' member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.l. and A.2. above.
- 4. The Disclosing Party certifies that cither: (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 50 I (c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

## ti. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following

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information with the	eir bids or in writing at the	outset of negotiations.
Is the Disclosing Par	rty the Applicant?	
[] Yes	[ ] No	
If "Yes," answer the	e three questions below:	
1. Have you dev CFR Part 60-2.)	eloped and do you have	on file affirmative action programs pursuant to applicable federal regulations? (See 41
[] Yes	[ J No	
	<u> </u>	ng Committee, the Director of the Office of Federal Contract Compliance Programs, or sion all reports due under the applicable filing requirements?
3. Have you pa []Yes [ No	rticipated in any previous	contracts or subcontracts subject to the equal opportunity clause?
If you checked "No'	to question 1. or 2. above	e, please provide an explanation:

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# SECTION VII -- ACKNOW LEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Parly 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 Cily in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicauo.org/Ethics <a href="http://www.cityofchicauo.org/Ethics">http://www.cityofchicauo.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining lo 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 ihis 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 lo 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 m this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter, if the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any-fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

### CERTIFICATION

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

Tanya M Mackay Children's Trust Agreement (Print or type name of Disclosing Party)

(Print or type title of person signing)

Signed and sworn to before me on (date) --.ii..- f\ C Z/{ Juijy

Commission expires: V> .P", .'j ^ ^OO

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

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "'familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt n\_r 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 ILB. I.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Paity; 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?

I ] Yes FJ 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.

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## 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: Tanya M Mackay

## **Check ONE of the following three boxes:**

Indicate whether the Disclosing Party submitting this EDS is:

1. [j the Applicant

Irrevocable Trust Agreement

OR

- 2. a legal entity holding a direct or indirect interest in the Applicant. Stale the legal name of the Applicant in which the Disclosing Party holds an interest: Hall of i-'ame Acquisition Ho. 2 LLC
- 3. [] a legal entity with a right of control (see Section II.B. 1.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: P.O. Box 5308, sdsfovs3

Sioux Falls, 53 5711V

- C. Telephone: (952) 831-7777 Fax: (952) 831-9072 Email: Rhondafenjkholding.com
- D. Name of contact person: Rhonda Donation
- E. Federal Employer Identification No. (if you have one):
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") lo which litis EDS pertains. (Include project number and location of property, if applicable):

The proposed termination of a redevelopment agreement between the City of Chicago and National Italian American Sports Hall of Fame, relating to 1431 W. Taylor Street.

G. Which City agency or department is requesting this EDS'? Dept. o: Housing and Economic Development

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

Specification H and Contract it

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## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

## A. NATURE OF THE DISCLOSING PARTY

[] Limited liability company (J Limited liability partnership [] Joint venture [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))?

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	131011.	
		1. Indicate the nature of the Disclosing Party:
[] Person		
I] Publicly registered bus	iness corporation	(
[] Privately held business	corporation	
[] Sole proprietorship		
[] Yes	f] No	
[] Other (please specify)		
[] Genera] partnership		(I
[] Limited partnership		
[ <sup>x</sup> j Trust		[
2. For legal entities, t	he slate (or foreign cou	ntry) of incorporation or organization, if applicable:
2. South Dakota		
3. For legal entities n Illinois as a foreign entity?	_	e of Illinois: Has the organization registered to do business in the State of
IJ Yes		
B. IF THE DISCLOSING	PARTY IS A LEGAL	ENTITY:
corporations, also list belo trusts, estates or other sim If the entity is a genera below the name and title of	ow all members, if any, will are entities, list below the light partnership, limited partnership, general partner, and the light partner,	executive officers and all directors of the entity. NOTE: For not-for-profit which are legal entities. If there are no such members, write "no members." For the legal titleholder(s).  In the legal titleholder (s) is in the legal titleholder (s) is in the legal titleholder (s). In the legal titleholder (s) is in the legal titleholder (s). In the legal titleholder (s) is in the legal titleholder (s). In the legal titleholder (s) is in the legal titleholder (s) in the legal titleholder (s) in the legal titleholder (s). In the legal titleholder (s) is in the legal titleholder (s) in the legal
Name Title Nader C. Kazeminy	-	■ Trustee
_	excess of 7.5% of the Di	oncerning each person or entity having a direct or. indirect beneficial interest isclosing Parly. Examples of such an interest include shares in a corporation, are,
		Dags 2 of 12
		Page 2 of 13
none, state "None." NOTE	E: Pursuant 10 Section 2	lity company, or interest of a beneficiary of a trust, estate or other similar entity. If -154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may applicant which is reasonably intended to achieve full disclosure.
Name	Business Address	Percentage Interest in the

File	#•	0201	13-5	040 \	Version:	1

**Disclosing Party** 

Palm 3each, Nasser J. Kazeminy 7SC Island Drive, FL, 100%

#### 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?

[XJ No []Yes

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Parly has retained or expects lo 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.

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)

**Business** Address

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, lobbyist, etc.)

paid or estimated.) NOTE: "hourly rate" or "l.b.d." is

not an acceptable response.

(Add sheets if necessary)

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

## **CERTIFICATIONS**

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

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

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

[] Yes f<sup>x</sup>] No [J No person directly or indirectly owns 10% or more of the Disclosing Parly.

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

[]Yes [JNo

#### **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 Parly 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 guili 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 lo the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

## Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. 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, stale or local) transaction or contract under a public transaction; a violation of federal or stale 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 die 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 Ihe federal government, any state, or any other unit of local government.
- 3. 'I he certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited lo 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 stale 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 Parly, any Contractor or any Affiliated Entity (collectively "Agents").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to .bribe, a public officer or employee of the City, the Stale 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 2-92-61 0 (Living Wage Ordinance).
- 4. Neither the Disclosing Parly, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 LLCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
  - 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of

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Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
6. The Disclosing Party understands and shall comply with Ihe applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
7. If the Disclosing Party is unable lo certify to any of the above statements in this Part B (Further Certifications), the Disclosing

## Page 6 of 13

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.

- 8. 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 (if none, indicate with "N/A" or "none"). None
- 9., 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 lias given or caused to be given, at any time during the 1 2-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the Cily 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 S20 per recipient (if none, indicate with "N/A" or "none"). As lo any gift listed below, please also list the name of the City recipient.

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

!. The Disclosing Party certifies that the Disclosing Parly (check one)

[ J is [XJ is not

Party must explain below:

- a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
  - 2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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		ause it or any of its affiliates (as defined in Section 2-32-455(b) of the ag of Chapter 2-32 of ihe Municipal Code, explain here (attach additional
	Page 7 o	of 13
	word "None," or no response app led to the above statements.	ears on the lines above, it will be conclusively presumed that the
D. CERTIFICATION	REGARDING INTEREST IN CI	TY BUSINESS
Any words or terms that D.	at are defined in Chapter 2-156 of	the Municipal Code have the same meanings when used in this Part
	with Section 2-1 56-110 of the Mu vn name or in the name of any oth	nicipal Code: Does any official or employee of the City have a financial er person or entity in the Matter?
NOTE: If you checked	l "Yes" to Item D.l., proceed to Ite	ems D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.
have a financial interes belongs to the City, or	t in his or her own name or in the (ii) is sold for taxes or assessment Compensation for property Laken	bidding, or otherwise permitted, no Cily elected official or employee shall name of any other person or entity in the purchase of any property that (i) s, or (iii) is sold by virtue of legal process at the suit of the Cily (collectively, pursuant to the City's eminent domain power does not constitute a financial
Does the Matter involv	e a City Property Sale?	
[] Yes	] No	
	"Yes" lo Hem D.l., provide the na fy the nature of such interest:	ames and business addresses of the City officials or employees having
Name	Business Address	Nature of Interest
or employee.	Party further certifies that no pro	hibited financial interest in the Matter will be acquired by any City official
L. CLICITICATION I	SEGARDING SEAVERT ERA E	Controd

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

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mply with these disclosure requirements may make any contract entered into with the City in connection with the Matter		

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

- I. 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 lo Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the Cily are not federal funding.

## A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds lo pay any person or entity listed in Paragraph A.L above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

## Page 9 of 13

- 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.l. 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".

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. . .

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Parly the Applicant?

[]Yes

If "Yes," answer the three questions below:

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

(] Yes [JNo

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?

[]Ycs

If you checked "No" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to ihe City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on-which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.citvofchicago.org/Ethics <a href="http://www.citvofchicago.org/Ethics">http://www.citvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this 1£DS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may he 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 lo 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 attachmenls to (his 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 respeci lo Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

## ChR'I iKiL A I ION

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

Tanya M\_Mackay\_ Irrevocable Trust Agreement (Print or type name of Disclosing Party)

7

By:

(Print orJype name of person signing) /

(Print or type title of person signing)

> Signed and sworn to before me on (date) v. )C PNff, .,J [ .yp.O., at ijf AfW'OLO County, [ H»^^^k (state). A ""7 J , A A i'.V- U Vl C- i (lq Notary Public.

• -\. -»g.o.

Commission expires: f = 0 / .20 I \*>

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

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

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

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

"Applicable Parly" means (1) all executive officers of the Disclosing Parly listed in Section II.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 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?

[ j Yes [X] No

If yes, please identify below (I) the name and title of such person, (2) the name of (he 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.

## CITY OF CHICAGO ECONOMIC DISCLOSURE

File	#:	O2013-5040.	Version:	1
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## STATEMENT AND AFFIDAVIT

SEC	TION	[ - GEN	NEK/	AL II	IFUKN	MAII.	JN										
A.	Legal	name	of	the	Disclo	osing	Party	submitting	g this	EDS.	Include	d/b/'a/	if	applicable:	Nader	C	Kazemin
Child	ren's Trus	t Agreem	nent														
Chec	ck ONE	of the	follov	wing 1	three bo	oxes.											
2.	. [] the OI . [X] a Disclo	Applic R legal en osing Pa egal ent	ant itity l irty h	noldin olds a	ng a dire	ect or i	ndirectall of F	this EDS is:  tinterest in tame Acquis  Section II.B  trol:	ition M	o. a LLO	<u>C</u>				t in whic	ch the	<u>≥</u>
В. В	usiness	address	s of tl	he Di	sclosing	g Party	r: P.	O. Box 530: Sioux Falls									
C. T	elephon	ie: 1952	2) -33	1-77	77	Fax	: (952	2) 831-9072		Email	: Rhonda«	s»n j toc	1 d i	nc;. con-			
D. N	lame of	contact	pers	on: R	honda l	Donah	oe		-~			1					
E. F	ederal E	Employ	er Ide	entific	ation N	lo. (if	you ha	ve one):;				J					
		_						er undertaki if applicable		erred to	below as t	he "Matt	ter")	o which this	s LDS p	ertain	18,
	proposed or Street.	terminati	on oE	a rede	velopmer	nt agreei	nent bet	ween the City o	of Chicag	o and Nat	ional. Italian	American	Sports	Hall of Fame,	relating t	o 1431	l W.
G. V	Which C	City age	ncy o	or dep	artmen	t is rec	questin	g this EDS?	Dept. o	of Housi	ng and Ec	onomic 1	Deve	lopment			
If	the Ma	tter is a	cont	ract b	eing ha	andled	by the	City's Depa	rtment	of Procu	arement So	ervices, p	please	e complete the	he follov	wing:	
S	pecifica	tion if						and Co	entract i	f							
SEC								IP INTERF	ESTS								
[   Li	ATURI imited li oration	iability	comp	any [	j Limi			artnership (	] Joint	venture	[j Not-for	r-profit c	orpo	ration (Is the	not-for	-prof	it
												I. Indica	ate th	e nature of"	the Disc	closir	ng Party:
j Ρι	erson ıblicly r rivately	_			_			[ [ (									

File #: O2013-5040, Version: 1	
J Sole proprietorship	Ì
[JYes []No [ J Other (please specify)	
[] General partnership	(I
[J Limited partnership	
f <sup>x</sup> ] Trust	[
2. For legal entities, the state (or foreign co	untry) of incorporation or organization, if applicable:
2. South Dakota	
3. F'or legal entities not organized in the Sta Illinois as a foreign entity?	ate of Illinois: Has the organization registered to do business in the State of
[ ] N/A	
B. IF THE DISCLOSING PARTY IS A LEGAI	L ENTITY:
corporations, also list below all members, if any trusts, estates or other similar entities, list below If the entity is a general partnership, limited public the name and title of each general partner	executive officers and all directors of the entity, NOTE: For not-for-profit s, which are legal entities. If there are no such members, write "no members." For the legal titleholder(s). partnership, limited liability company, limited liability partnership or joint venture, list, managing member, manager or any other person or entity that controls the day-to-E: Each legal entity listed below must submit an EDS on its own behalf.
Name Title	
Nader C Kazeminy	Trusc.es <http: trusc.es=""></http:>
	concerning each person or entity having a direct or indirect beneficial interest Disclosing Party. Examples of such an interest include shares in a corporation, ture,
	Page 2 of 13
none, state "None." NOTE: Pursuant to Section	polity company, or interest of a beneficiary of a trust; estate or other similar entity. If 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may y applicant which is reasonably intended to achieve full disclosure.

Percentage Interest in the Name **Business Address** Disclosing Party

Nasser J Kazeminy 760 Island Drive, Palm ijeach, Ft. 100';

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

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

[] Yes H<sub>No</sub>

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and (he 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.

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Name (indicate whether Business retained or anticipated Address to be retained)

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, lobbyist, etc.)

paid or estimated.) NOTE: "hourly rate" or "t.b.d." is

not an acceptable response.

(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

File	<b>#</b> ·	$\Omega$ 20	13-5040	n Va	reion:	1
ГП	; #.	020	13-304	U. VE	ISIUII.	

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

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

[ j Yes [XJ No [ J No person directly or indirectly owns 1 0% 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?

[ J Yes U No

## **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 lo 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 1 is a continuing requirement for doing business with the City. NOTE: If Article 1 applies lo the Applicant, the permanenl compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. 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;
  - have not, within a five-year period preceding the dale 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 dale 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.

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- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Parly, 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 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 parly to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of stale or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Parly 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 Securily of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
  - 6. The Disclosing Party understands and shall comply with (he applicable requirements of Chapters 2-55 (Legislative Inspector

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General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
Page 6 of 13
If ihe 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.
8. 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 (if none, indicate with "N/A" or "none"). None
9. 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 S20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed

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

below, please also list the name of the City recipient. None

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

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS
Any words or terms that are defined in Chapter 2-1 56 of the Municipal Code have ihe same meanings when used in this Part D.
1. In accordance with Section 2-156-110 of the Municipal Code: Docs 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?  f] Yes  (Xj 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. I., 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
3. If you checked "Yes" to Item D.l., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:
Name Business Address Nature of Interest
4. "I he Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.
E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS
Please check either 1. or 2. below. If the Disclosing Party checks 2 the Disclosing Party must disclose below or in an attachment lo this EDS all information required by paragraph 2. Failure lo  Page 8 of 13

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter

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voidable by the City.		٠	•		-		
x 1. The Disclosing Pa	•		•	•		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! above, the Disclosing Parly 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 M atter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

#### A. CERTIFICATION REGARDING LOBBYING

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

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 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.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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- 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.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Parly is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Parly must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

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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
If "Yes," answer the three questions below:
1. Have you developed and do you have on file affirmative action programs pursuant lo 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? 11 Yes
If you checked "No" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, Cily assistance, or other City action, and are material inducements lo 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 2-1 56 and 2-164 of the Municipal Code, impose certain duties and Obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cilvofchicago.org/Ethics <a href="http://www.cilvofchicago.org/Ethics">http://www.cilvofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City Remedies at law for a false

statement of material fact may include incarceration and an award to the Cily 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 lo 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 FDS as the contract requires. NOTE: With respect to Matters subject to Article 1 of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

i ir i^/v 1 to

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

(Print or type title of person signing)

Nader C Kazeminy Children's Trust Agreement (Print or type name of

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Disclosing Party)						
Signed and sworn to before me on (date) ^ \.>/~yg						
Commission expires: < Ja.O						

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

### FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMEN T HEADS

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

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

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

Does 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?

[ J Yes [X] 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.

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## 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: Nader c Kazeming Irrevocable Trust Agreement

## Check ONE of the following three boxes.

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

- 2. [>] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: Hall of \_ Fame \_ Acquisition^ No. 2. LLC OR
- 3. [ J a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: P.O. Box 5303, \_sbsfo753

Sioux Falls, SD 57117

- C. Telephone: (952) 331-7777 Fax: 982) 331-9072 Email: Khonda&nj kholding.com
- D. Name of contact person: Rhonda Donahoe
- E. Federal Employer Identification No. (if you have one):;,..
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

The proposed termination of a redevelopment agreement between the City oZ Chicago and National Italian American Sports Hall of Fame, relating to 1431 W. Taylor Street.

G. Which City agency or department is requesting this EDS? Dept. of Housing and Economic Development

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

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Specification ft	and Contract H	
Page 1 of 13  SECTION II - DISCLOSURE OF OWNE  A. NATURE OF THE DISCLOSING PART  [ J Limited liability company [ ] Limited liab		for-profit
corporation also a $501(c)(3)$ ?	, L	<b>F</b>
■]	1. Indicate the nature of the Di	isclosing Party:
[ ] Publicly registered business corporation ' ] Privately held business corporation	l [ j Sole proprietorship	[
[] Yes [] No [] Other (please specify)  ] General partnership [] Limited partnership  ;XJ	(I Trust [	
2. For legal entities, the stale (or foreign	a country) of incorporation or organization, if applicable:	
2. South JQakoca		
3. For legal entities not organized in the Illinois as a foreign entity?	State of Illinois: Has the organization registered to do business in the Stat	e of
[ JN/A		
13. IF THE DISCLOSING PARTY IS A LE	GAL ENTITY:	
corporations, also list below all members, if a trusts, estates or other similar entities, list bel I f the entity is a general partnership, limit list below the name and tille of each general partnership, limit below the name and tille of each general partnership.	Fall executive officers and all directors of the entity. NOTE: For not-for-prany, which are legal entities. If there are no such members, write "no mem low the legal titleholder(s). ted partnership, limited liability company, limited liability partnership or jupartner, managing member, manager or any other person or entity that con OTE: Each legal entity listed below must submit an EDS on its own behalf	bers." For oint venture, ntrols the day-to
Name Title Michael G Eleftherion Trustee		

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-1 54-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name Business Address Percentage Interest in the

**Disclosing Party** 

Nasser J Kaseminy 7GC Tsland Drive, Palm Beacli, FL 100%

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

lias 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?

I j Yes FJ No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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

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

"Lobbyist" means any person or entity who undertakes lo 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.

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Name (indicate whether Business Relationship to Disclosing Party Fees (indicate whether

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retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessa	ry)		
[XJ Check here if th	e Disclosing l	Party has not retained, nor expec	ets to retain, any such persons or entities. SECTION V
CERTIFICATIONS			
A. COURT-ORDERI	ED CHILD SU	PPORT COMPLIANCE	
		92-415, substantial owners of busin obligations throughout the contract's	ess entities that contract with the Cily must remain in term.
Has any person who dobligations by any Illi	•	•	closing Parly been declared in arrearage on any child support
[ j Yes	[x\ No	[ ] No person directly or indirectly Disclosing Party.	owns 10% or more of the
If "Yes," has Ihe perso with that agreement?	on entered into	a court-approved agreement for pay	yment of all support owed and is the person in compliance
[ j Yes	[ ] No		
B. FURTHER CERT	IFICATIONS		
"doing business") and City, then the Disclosi charged with, or has a actual, attempted, or c of the Cily or any siste	legal requirenting Party certification description description of the description of the description d	nents), if the Disclosing Party submittees as follows: (i) neither the Application f, or has ever been convicted of, or commit bribery, theft, fraud, forgery, (ii) the Applicant understands and a	which the Applicant should consult for defined terms (e.g., tting this EDS is the Applicant and is doing business with (he cant nor any controlling person is currently indicted or placed under supervision for, any criminal offense involving perjury, dishonesty or deceit against an officer or employee acknowledges that compliance with Article I is a continuing to the Applicant, the permanent compliance timeframe in

Article J supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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- 2. The Disclosing Party and, if the Disclosing Parly is a legal entity, all of those persons or entities identified in Section II.B.l. of this EDS:
  - 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, stale or local) with committing any of the offenses set forth in clause B.2.b. of litis 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 stale, or any other unit of local government
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Parly 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 Cily, 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 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;
- agreed or colluded with other bidders or prospective bidders, or been a parly lo any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unil of state or local government as a result of engaging in or being convicted of (I) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4: or (3) any similar offense of any state or of the United Slates of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Parly 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 Ihe Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the M unicipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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If the Jetlers "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.

- 8. To the best of the Disclosing Parly'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 (if none, indicate with "N/A" or "none"). None
- 9. 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 S20 per recipient (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)

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1. $ ]$ is $[X $ is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:
"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none our affiliates is, and none of them wilt become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."
If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):
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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS
Any words or terms that are defined in Chapter 2- i 56 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: Docs 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?  [ J Yes (X] No
NOTE: If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D. l., 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 . UNo
3. If you checked "Yes" lo Item D.l., provide the names and business addresses of the City officials or employees having

such interest and identify the nature of such interest:

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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comply with these disclosure requirements may make any contract entered inio with the City in connection with the Matter voidable by the City.

- x 1. The Disclosing Party verities that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
- 2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

#### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds lo pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or

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employee of a member of Con	
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	Il submit an updated certification at the end of each calendar quarter in which there occurs any event racy of the statements and information set forth in paragraphs A.l. and A.l. above.
Revenue Code of 1986; or (ii)	certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal it is an organization described in section nue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
paragraphs A.l. through A.4. a	is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to bove from all subcontractors before it awards any subcontract and the Disclosing Party must maintain eations for the duration of the Matter and must make such certifications promptly available to the City
B. CERTIFICATION REGAR	EDING EQUAL EMPLOYMENT OPPORTUNITY
•	ed, federal regulations require the Applicant and all .proposed subcontractors to submit the eir bids or in writing at the outset of negotiations.
Is the Disclosing Party the Ap	plicant?
[] Yes	[ J No
If "Yes." answer the three que	stions below:
1. Have you developed and CFR Part 60-2.)	d do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41
· · · · · · · · · · · · · · · · · · ·	[ ] No
the Equal Employment Oppor	e Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or tunity Commission all reports doe under the applicable filing requirements?  [] No
	in any previous contracts or subcontracts subject to the equal opportunity clause? [ J No .
If you checked "No" to question	on I. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to die City's execution of any contract or taking other action with respect to the Matter. The Disclosing Parly understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicauo.ora/Ethics <a href="http://www.cityofchicauo.ora/Ethics">http://www.cityofchicauo.ora/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at Saw, or in equity, including terminating the Disclosing Parly's participation in the Matter and/or declining to allow the Disclosing Parly lo 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 io 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 Parly must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such

certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.
NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.
CERTIFICATION
Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.
(Print or type title of person signing)
Nader C Kazeminy Irrevocable Trust AgreemenU (Print or type name of Disclosing Party)
Signed and sworn to before me on (date) V;-"J
Commission expires:
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### FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

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

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

I J Yes [X] No

If yes. please identify below (1) the name and litle 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.

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