



Office of the City Clerk

City Hall
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Chicago, IL 60602
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Legislation Details (With Text)

File #: O2012-6625
Type: Ordinance
File created: 10/3/2012
Status: Passed
In control: City Council
Final action: 10/31/2012
Title: Funding and associated agreements with Neighborhood Housing Services for TIF-NIP single-family programs within Englewood neighborhood
Sponsors: Emanuel, Rahm
Indexes: Redevelopment
Attachments: 1. O2012-6625.pdf

Date	Ver.	Action By	Action	Result
11/8/2012	1	Office of the Mayor	Signed by Mayor	
10/31/2012	1	City Council	Passed	Pass
10/30/2012	1	Committee on Finance	Recommended to Pass	Pass
10/3/2012	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL

October 3, 2012

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

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith ordinances authorizing funding, and associated agreements with Neighborhood Housing Services, for TIF-NIP single family programs.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

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ORDINANCE

WHEREAS, pursuant to an ordinance adopted by the City Council ("City Council") of the City of Chicago ("City") on February 27, 2002, a certain redevelopment plan and project (the "Englewood Neighborhood Plan") for the Englewood Neighborhood Redevelopment Project Area (the "Englewood Neighborhood Area") was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq.) (the "Act"); and

WHEREAS, pursuant to an ordinance adopted by the City Council on February 27, 2002, the Englewood Neighborhood Area was designated as a redevelopment project area pursuant to the Act; and

WHEREAS, pursuant to an ordinance adopted by the City Council on February 27, 2002, tax increment allocation financing was adopted pursuant to the Act as a means of financing certain Englewood Neighborhood Area redevelopment project costs (as defined in the Act) incurred pursuant to the Englewood Neighborhood Plan; and

WHEREAS, the City, through its Department of Housing and Economic Development ("HED"), established a TIF Neighborhood Improvement program to fund improvements to single-family residential properties in the Englewood Neighborhood TIF Area (the "Englewood Neighborhood Program") and entered into an agreement on February 14, 2005 with NHS ("Agreement") pursuant to which NHS performed certain administrative services for the Englewood Neighborhood Program; and

WHEREAS, in the Agreement, HED made available the proceeds of a loan to the City from Local Initiatives Support Corporation, dated December 10, 2004 and with an original principal amount of up to \$1,500,000 for the Englewood Neighborhood Program; and

WHEREAS, the City expanded the scope of the Englewood Neighborhood Program to a total, collective amount of \$3,000,000 by providing for up to \$1,500,000 in additional funds for single-family residential properties within the Englewood Neighborhood TIF Area and executed a first amendment to the Agreement ("First Amendment") with NHS, under which NHS continued to provide administrative services for the expanded Englewood Neighborhood Program; and

WHEREAS, the City again expanded the scope of the Englewood Neighborhood Program to a total, collective amount of \$4,000,000 by providing for up to \$1,000,000 in additional funds for single-family residential properties within the Englewood Neighborhood TIF Area and executed a second amendment to the Agreement ("Second Amendment") with NHS, under which NHS continued to provide administrative services for the expanded Englewood Neighborhood Program; and

WHEREAS, as part of the Englewood Neighborhood Program, the \$4,000,000 funding previously authorized was substantially expended for the improvement of single-family residential properties in the Englewood Neighborhood TIF Area; and

WHEREAS, HED desires to incorporate provisions required by the City's contractor policy adopted in

order to comply with the May 31, 2007 Order entitled "Agreed Settlement Order and Accord" (the "Shakman Accord") and the August 16, 2007 "City of Chicago Hiring Plan" entered in

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NIP Ordinance (Englewood Neighborhood) - Final

Shakman v. Democratic Organization of Cook County, Case No 69 C 2145 (United States District Court for the Northern District of Illinois) into the Agreement; and

WHEREAS, HED desires to modify the Englewood Neighborhood Program to i) increase funding by an additional amount not to exceed \$1,000,000, to a total, collective amount of \$5,000,000, ii) include additional energy-efficiency, reporting, and Shakman Accord requirements, and iii) enter into an amendment to the Agreement, First Amendment and Second Amendment to enable NHS to perform certain administrative services for the modified Englewood Neighborhood Program (the "Third Amendment"); and

WHEREAS, the City's obligation to provide funds under the Agreement, First Amendment, Second Amendment, and Third Amendment will be met through (i) incremental taxes deposited in the Special Tax Allocation Fund of the Englewood Neighborhood Area, or (ii) any other funds legally available to the City for this purpose; now, therefore,

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

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

SECTION 2. NHS is hereby designated to continue to administer the Englewood Neighborhood Program, subject to the supervision of HED.

SECTION 3. The Commissioner of HED (the "Commissioner") or a designee of the Commissioner are each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver the Third Amendment in the form attached hereto as Exhibit A and made a part hereof, and such other supporting documents as may be necessary to carry out and comply with the provisions thereof, with such changes, deletions and insertions as shall be approved by the persons executing the amendment.

SECTION 4. 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 5. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance shall be effective as of the date of its passage.

NIP Ordinance (Englewood Neighborhood) - Final

Exhibit A

Form of Third Amendment to
NHS Agreement for the Englewood Neighborhood Area
with
Neighborhood Housing Services of Chicago, Inc.

This Third Amendment to the TIF Neighborhood Improvement Program Agreement (the "Agreement") is made as of this day of , 2012 by and between the City of Chicago, a municipal corporation and home rule unit of local government existing under the 1970 Constitution of the State of Illinois (the "City"), acting through its Department of Housing and Economic Development ("HED"), and Neighborhood Housing Services of Chicago, Inc., an Illinois not-for-profit corporation ("NHS").

WHEREAS, the City is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq., as amended from time to time (the "Act"), to finance projects that eradicate blighted conditions and conservation area factors through the use of tax increment allocation financing for redevelopment projects; and

WHEREAS, to induce redevelopment pursuant to the Act, the City Council of the City (the "City Council") adopted the following ordinances on June 27, 2001: (1) "An Ordinance of the City of Chicago, Illinois Approving a Redevelopment Plan for the Englewood Neighborhood Redevelopment Project Area"; (2) "An Ordinance of the City of Chicago, Illinois Designating the Englewood Neighborhood Redevelopment Project Area as a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act"; and (3) "An Ordinance of the City of Chicago, Illinois Adopting Tax Increment Allocation Financing for the Englewood Neighborhood Redevelopment Project Area." The redevelopment project area referred to above is referred to herein as the "Englewood Neighborhood TIF Area"; and

WHEREAS, the City, through HED, established a TIF Neighborhood Improvement program to fund improvements to single-family residential properties in the Englewood Neighborhood TIF Area (the "Englewood Neighborhood Program") and entered into an agreement with NHS ("Agreement") pursuant to which NHS performed certain administrative services for the Englewood Neighborhood Program; and

WHEREAS, in the Agreement, HED made available the proceeds of a loan to the City from Local Initiatives Support Corporation ("LISC"), dated December 10, 2004 and with an original principal amount of up to \$1,500,000 for the Englewood Neighborhood Program; and

WHEREAS, the City expanded the scope of the Englewood Neighborhood Program to a total, collective amount of \$3,000,000 by providing for up to \$1,500,000 in additional funds for single-family residential properties within the Englewood Neighborhood TIF Area and executed a first amendment to the Agreement ("First Amendment") with NHS, under which NHS continued to provide administrative services for the expanded Englewood Neighborhood Program; and

WHEREAS, the City again expanded the scope of the Englewood Neighborhood Program to a total, collective amount of \$4,000,000 by providing for up to \$1,000,000 in additional funds for

single-family residential properties within the Englewood Neighborhood TIF Area and executed a second amendment to the Agreement ("Second Amendment") with NHS, under which NHS continued to provide administrative services for the expanded Englewood Neighborhood Program; and

WHEREAS, as part of the Englewood Neighborhood Program, the \$4,000,000 funding previously authorized was substantially expended for the improvement of single-family residential properties in the Englewood Neighborhood TIF Area; and

WHEREAS, the City now desires to further expand the scope of the Englewood Neighborhood Program by providing for up to \$1,000,000 in additional funds, to a total, collective amount of \$5,000,000, to continue to fund improvements for single-family residential properties within the Englewood Neighborhood TIF Area; and

WHEREAS, the City also desires to amend the Agreement with NHS to include additional energy-efficiency, reporting and other requirements to the Englewood Neighborhood Program; and

WHEREAS, the City further desires to amend the Agreement, as previously amended, with NHS pursuant to which NHS will continue to provide administrative services under the Englewood Neighborhood Program; and *

WHEREAS, the City's obligation to provide funds under the Agreement will be met through (i) incremental taxes deposited in the Special Tax Allocation Fund of the Englewood Neighborhood TIF Area, or (ii) any other funds legally available to the City for this purpose; and

WHEREAS, by an ordinance adopted by the City Council of the City on ___, 2012, the City has approved the execution and delivery of this Third Amendment to the Agreement; and

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth below, the parties hereto agree as follows:

ARTICLE I INCORPORATION AND RECITALS

The recitals set forth above are incorporated by reference as if fully set forth herein.

ARTICLE II

REAFFIRMATION OF REPRESENTATIONS, WARRANTIES AND COVENANTS

NHS reaffirms each and every representation, warranty and covenant made in Article III of the Agreement. NHS reaffirms that it has insurance in force that conforms to the requirements of Section 4.9 of the Agreement.

ARTICLE III

AMENDMENTS TO AGREEMENT. FIRST AMENDMENT AND SECOND AMENDMENT

The Agreement, First Amendment, and Second Amendment are amended as follows: (a) Substitute the following definition of "Eligible Costs" in Article II:

"Eligible Costs" means the following rehabilitation costs which are incurred by eligible Homeowners pursuant to the Grant Documents and funded with Grant funds: exterior improvements including but not limited to roofs, windows, entryways, porches and masonry; up to 30% of the total Grant amount may be used for one of the two following purposes, at the option of the Selected Applicant:

- a) interior life/safety improvements, but only to the extent that such improvements are designed to address a current (rather than potential) health and safety risk; and related architect's fees; or
- b) the cost of an energy audit that recommends measures to improve the energy efficiency of a building may be included as a rehabilitation cost to the extent that:
 - i) the building renovations undertaken pursuant to such recommendation promote energy efficiency and resource conservation (e.g., the installation of low-flow plumbing fixtures or energy-efficient HVAC systems, the use of building materials made with a high degree of recycled content or renewable or non-toxic substances); and
 - ii) the cost of the energy audit does not exceed 10% of the project budget.
 - iii) provided, however, that if a project includes the replacement of an energy-efficient heating system, such as a boiler or a furnace, that meets Energy Star requirements, the above limitation of 30% of the Grant amount shall not apply.

(b) Substitute the following definition of "Maximum Program Assistance" in Article II:

"Maximum Program Assistance" means (a) for a Qualified Housing Unit comprised of a single family home, \$12,500, (b) for a Qualified Housing Unit comprised of two living units, \$17,500, (c) for a Qualified Housing Unit comprised of three living units, \$20,000, and (d) for a Qualified Housing Unit comprised of four living units, \$22,500; provided, however, that if the Air-Sealing Requirement, Insulation Requirement and/or EE Heating System Requirement are applicable, then the Maximum Program Assistance shall be increased as follows:

Maximum Allowance for Allowance for EE Heating Program Air-Sealing Insulation System Assistance Requirement Requirement Requirement 1 Un 2 Un 3 Un 4 Un 5

\$17,500	\$2,400	\$1,500	\$
\$3,000	\$1,000	\$30,050	

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c) Add the following definitions to Article II:

"Air Sealing Requirement" shall have the meaning set forth in Section 4.3(f)(i) hereof.

"EE Heating System Requirement" shall have the meaning set forth in Section 4.3(f)(iii) hereof.

"Insulation Requirement" shall have the meaning set forth in Section 4.3(f)(ii) hereof.

d) Substitute the following text for the current text in ARTICLE IV, Section 4.2(a):

(a) The total amount of Program Funds shall be up to \$5,000,000. NHS

shall provide written notice to the City when the aggregate amount of Program Funds committed or paid hereunder, including Grants and administrative costs paid to or for the account of NHS pursuant to Section 6.5, equals \$4,500,000 and thereafter when the amount of Program Funds committed or paid hereunder, including Grants and administrative costs paid to or for the account of NHS pursuant to Section 6.5, reaches \$5,000,000. Program Funds are deemed committed for purposes of this Section when NHS has determined the amount of Program Funds to be the subject of a Grant and sent notice of final approval of an Application pursuant to Section 4.3(e) to an Eligible Homeowner. Notwithstanding the foregoing, NHS understands and agrees that the City's obligation to provide Program Funds under this Agreement is expressly conditioned upon the availability of unencumbered incremental taxes in the Special Tax Allocation Fund for the Englewood Neighborhood TIF Area. No Grants shall be made or committed to be made by NHS hereunder when such commitment would result in the aggregate amount of Grants, together with all administrative costs related to such Grants paid to NHS pursuant to Section 6.5, exceeding the available Program Funds in such amount as the City may determine from time to time. No Grants shall be made or committed to be made by NHS hereunder after the date of receipt of the notice from the City described in Section 6.2 hereof regarding the termination of this Agreement.

(e) Substitute the following text for the current text in ARTICLE IV, Section 4.2(b):

(b) As of the date of this Agreement, the total amount of funds available hereunder for use in the Englewood Neighborhood TIF Area is \$5,000,000. This amount may be changed from time to time upon written notice by HED to NHS, provided that the aggregate amount shall not exceed \$5,000,000 (or such other amount as the City may determine from time to time).

f) Substitute "\$5,000,000" for any other occurrences of "\$4,000,000" in the Agreement.

g) Add the following text as a new subsection (f) to ARTICLE IV, Section 4.3:

(f) NHS shall enforce the following energy-efficiency requirements for the program:

(i) If a Qualified Housing Unit is having its roof replaced and the roof insulation is below R-49, then the project will be required to include R-49 insulation in

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the roof (except in the case that the roof cavity is not able to be insulated due to a finished attic) ("Insulation Requirement");

ii) If NHS finds during the initial site visit required by Section 4.4(a) that the Qualified Housing Unit should be air-sealed, then the renovation work shall include air-sealing the Qualified Housing Unit ("Air-Sealing Requirement");

. and

iii) If the Eligible Homeowner plans to replace the heating system, such as a boiler or furnace, in the Qualified Housing Unit, then the heating system must meet the Energy Star standards for energy efficiency ("EE Heating System Requirement").

Substitute the following text for the current text in ARTICLE IV, Section 4.4(f):

(f) Reporting. On the seventh day of each month of each year during the term hereof, NHS shall submit to the City a monthly report in a form approved by HED and containing the following information for each Grant closed during the previous month, and for each Eligible Homeowner whose Application has been approved: (i) the address (including zip code) and census tract of the Qualified Housing Unit; (ii) the name, address, income and race (if known) of each Eligible Homeowner for such Qualified Housing Unit; (iii) the amount of the applicable Grant and the date of the Grant; (iv) the amount of Program Funds, if any, provided to such Eligible Homeowner by the end of the preceding month, and the use of such funds; (v) the status of the renovation work on such Qualified Housing Unit; and (vi) the names of any Eligible Homeowners who have defaulted on any matching loan provided through NLS pursuant to Section 4.4(b) hereof. In addition, NHS shall also include the following in such report regarding the Program as of the end of the preceding month: (i) information about each matching loan made to an Eligible Homeowner, or matching funds provided by the Eligible Homeowner, including the amount of the loan or other funds, the address of the subject property and evidence that matching funds were provided; (ii) number of renovations in process; (iii) number of renovations completed; (iv) total number of applicants; (v) total number of Applications reviewed; (vi) total number of Applications approved; (vii) total amount of Grant funds disbursed hereunder; (viii) number of Qualified Housing Units; (ix) description of building style; (x) whether initial site visit indicated that a new roof was needed; (xi) whether initial site visit indicated that additional roof insulation was needed; (xi) whether initial site visit indicated that air-sealing was needed; (xii) whether a new roof was installed; (xiii) whether roof insulation was installed; (xiv) whether air-sealing was performed; (xv) whether the heating system was replaced with an energy-efficient or non-energy-efficient replacement; (xvi) costs of any roof replacement; (xvii) cost of any air-sealing; (xviii) total project cost; and (xix) whether waiver for Electricity and Gas Data provided.

Add the following new Section 6.21 to the Agreement:

Section 6.21. Shakman Accord Requirements.

(a) The City is subject to the May 31, 2007 Order entitled "Agreed Settlement

Order and Accord" (the "Shakman Accord") and the August 16, 2007 "City of Chicago Hiring Plan" (the "City Hiring Plan") entered in *Shakman v. Democratic Organization of Cook County*, Case No 69 C 2145 (United States District Court for the Northern District of Illinois). Among other things, the Shakman Accord and the City Hiring Plan prohibit the City from hiring persons as governmental employees in non-exempt positions on the basis of political reasons or factors.

b) NHS is aware that City policy prohibits City employees from directing any individual to apply for a position with NHS, either as an employee or as a subcontractor, and from directing NHS to hire an individual as an employee or as a subcontractor. Accordingly, NHS must follow its own hiring and contracting procedures, without being influenced by City employees. Any and all personnel provided by NHS under this Agreement are employees or subcontractors of NHS, not employees of the City of Chicago. This Agreement is not intended to and does not constitute, create, give rise to, or otherwise recognize an employer-employee relationship of any kind between the City and any personnel provided by NHS.

c) NHS will not condition, base, or knowingly prejudice or affect any term or aspect of the employment of any personnel provided under this Agreement, or offer employment to any individual to provide services under this Agreement, based upon or because of any political

reason or factor, including, without limitation, any individual's political affiliation, membership in a political organization or party, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such individual's political sponsorship or recommendation. For purposes of this Agreement, a political organization or party is an identifiable group or entity that has as its primary purpose the support of or opposition to candidates for elected public office. Individual political activities are the activities of individual persons in support of or in opposition to political organizations or parties or candidates for elected public office.

d) In the event of any communication to NHS by a City employee or City official in violation of paragraph (b) above, or advocating a violation of paragraph (c) above, NHS will, as soon as is reasonably practicable, report such communication to the Hiring Oversight Section of the City's Office of the Inspector General ("IGO Hiring Oversight"), and also to the head of HED. NHS will also cooperate with any inquiries by IGO Hiring Oversight or the Shakman Monitor's Office related to this Agreement.

Except as set forth herein, the Agreement is not amended.

ARTICLE IV

OBLIGATION TO PROVIDE DOCUMENTS

NHS shall execute and deliver to HED such documents as may be required by the Corporation Counsel of the City, including, but not limited to, the City's current form of Economic Disclosure Statement.

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IN WITNESS WHEREOF, the City and NHS have executed this Amendment as of the date first set forth above.

CITY OF CHICAGO

By: _____;
Commissioner
Department of Housing and Economic Development

NEIGHBORHOOD HOUSING SERVICES OF CHICAGO, INC., an
Illinois not-for-profit corporation

By:

Its:

**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:

A. Neighborhood Housing Services of Chicago, Tnn.

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:

OR

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: 1701 N. Milwaukee Ave., 3rd Floor
Chicago, IL 60622

C. Telephone: (773) 329-4010 Fax: (773) 329-4120 Email: nhschirag@nrg.com

D. Name of contact person: Robin Coffey

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

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):

TIF NIP Chicago Avenue Central Park

G. Which City agency or department is requesting this EDS? 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 #

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SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

Person

Publicly registered business corporation

Privately held business corporation

Sole proprietorship

General partnership

Limited partnership

Trust

☐ Limited liability company

☐ Limited liability partnership

☒ Joint venture

☐ Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))?

☒ Yes ☐ No

☐ Other (please specify)

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

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?

[]N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name

Ed Jacob

Title

Executive Director, Assistant Secretary

Assistant Tr&axnrpr

Assistant Senrptary

See attached

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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EXHIBIT A
NEIGHBORHOOD HOUSING SERVICES OF CHICAGO, INC.

Directors (with Officer title, if applicable):

Beth Witczak (President)

The Private Bank 120 S. LaSalle Street Chicago, Illinois 60603

Craig Gilmore, CPCU (Vice President, Planning)

State Farm Insurance Companies 200 South Michigan Avenue, Suite 201 Chicago, IL 60604

Allen A. Rodriguez

(Vice President, Resource Development) 1250 S. Indiana Avenue Unit 111
Chicago, IL 60605

Betty Jo Swanson (Secretary)

7923 S. Carpenter Chicago, IL 60620

Thomas Harazim (Treasurer)

RBS Citizens
71 S. Wacker
29th Floor -ffl-2925
Chicago, Illinois 60606

Vicky Arroyo

MB Financial Bank 800 W. Madison Chicago, IL 60607

Allison B. Clark

The John D. and Catherine T. MacArthur Foundation 140 South Dearborn Street Suite 1200 Chicago,
IL 60603

Helen Hammond Redding

Citi Community Development 500 W. Madison, 5th Floor Citibank
Chicago, IL 60661

Dave Kaptain

City of Elgin 150 Dexter Court Elgin, Illinois 60120

Paul J. Lopez

5307 S. Hyde Park Blvd. #404 Chicago, IL 60615

Bruce Martin

JPMorgan Chase Bank 10 S. Dearborn ELI-0953
Chicago, IL 60603

Steven McCullough

Safer Foundation 571 W. Jackson ■ Chicago, IL 60661

Judith C. Rice

BMO Harris Bank
111 West Monroe Street, 7C
Chicago, IL 60603

Tony Smith

The PNC Financial Services Group One North Franklin, Suite 3600 Chicago, IL 60606

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
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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.

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

\$Q 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 y 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.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B. 1. of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

3. The certifications in subparts 3, 4 and 5 concern:

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

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

7. If the Disclosing Party is unable to certify to any of the above 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").

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.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

1. ☐ is ☐ 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 2-156 of the Municipal Code have the same meanings when used in this Part D.

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

☐ Yes ☐ No

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

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

Does the Matter involve a City Property Sale?

☐ Yes

☐ No

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

Name	Business Address	Nature of Interest
------	------------------	--------------------

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

below or in an attachment to this EDS all information required by paragraph 2. Failure to

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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.

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.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.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☒ Yes ☐ No If "Yes," answer the three questions

below:

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

SECTION 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 <<http://www.cityofchicago.org/Ethics>>, and may also be obtained from the City's Board of Ethics, 740 N.

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

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

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

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

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

The Disclosing Party represents and warrants that:

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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.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.

Neighborhood Housing Services of Chicago, Inc. (Print or type name of Disclosing Party)

By: _____
(Sign he*Q

Ed Jacob
(Print or type name of person signing)

Executive Director
(Print or type title of person signing)
led and st

Signed and sworn to before me on (date)
_ County, ^////WA^MstaW

OFFICIAL SEAL GLORIA MOORE NOTARY PUBLIC ■ STATE OF ILLINOIS MY COMMISSION EXPIRES.08/27/14

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

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

☐ Yes

☒ 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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