



Office of the City Clerk

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

Legislation Details (With Text)

File #: O2014-5096
Type: Ordinance
File created: 6/25/2014
Status: Passed
In control: City Council
Final action: 7/30/2014
Title: Second amendment to redevelopment agreement for land sale to By The Hand Club For Kids
Sponsors: Emanuel, Rahm
Indexes: Redevelopment
Attachments: 1. O2014-5096.pdf

Date	Ver.	Action By	Action	Result
7/30/2014	1	City Council	Passed	Pass
7/23/2014	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
6/25/2014	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

June 25,2014

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

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinance authorizing an amendment to a previously passed land sale at 402 North Laramie.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to an ordinance adopted on October 7, 2009, and published at pages 72529 through 72562 in the Journal of the Proceedings of the City Council (the "Journal") for such date (the "Ordinance"), the City and By the Hand Club for Kids, an Illinois not-for-profit corporation ("Developer"), have entered into that certain Agreement for the Sale and Redevelopment of Land dated February 24, 2011, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder's Office") on March 18, 2011, as document no. 1107733080, relating to Developer's construction of two (2) parking lots and an approximately 24,000 square foot, after-school care center that will serve approximately 264 children in grades first through twelfth (the "Agreement"); and

WHEREAS, pursuant to the Ordinance, and in connection with the Agreement, the City has previously conveyed to Developer the real property commonly known as 410 North Leamington Avenue, Chicago, Illinois, and legally described in Exhibit A attached hereto (the "Leamington Parcel"), and the real property commonly known as 402 North Laramie Street, Chicago, Illinois, and legally described in Exhibit B attached hereto (the "Laramie Parcel"), by the City's quitclaim deeds, each dated February 24, 2011, and recorded with the Recorder's Office on March 18, 2011, as document nos. 1107733081 and 1107733082, respectively; and

WHEREAS, pursuant to an ordinance adopted on February 13, 2013, and published at pages 46764 through 46778 in the Journal for such date (the "Amending Ordinance"), the City and the Developer have entered into that certain First Amendment to Agreement for the Sale and Redevelopment of Land dated April 26, 2013, and recorded in the Recorder's Office on July 31, 2013, as document no. 1321219011 (the "First Amendment"), which amended certain use restrictions and construction time frames that had been set forth in the Agreement (the Agreement, as amended by the First Amendment, the "Amended Agreement"); and

WHEREAS, the Amending Ordinance and the First Amendment required that the Developer maintain the Laramie Parcel as open space until such time as the City (pursuant to and in accordance with future ordinance authority) and Developer agree to a new use; and

WHEREAS, the Developer has proposed and the City agrees that Developer may construct a parking lot on the Laramie Parcel, which parking lot will be for the benefit of the after-school center to be constructed by Developer in accordance with the Amended Agreement; now, therefore,

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

SECTION 1. The above recitals, and the statements of fact and findings made therein, are incorporated herein and made a part of this ordinance.

SECTION 2. The Commissioner of the City's Department of Planning and Development ("Commissioner") or a designee of the Commissioner is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver an amendment to the Amended Agreement between the City and Developer, in substantially the form attached hereto as Exhibit C and made a part hereof (the "Second Amendment"), and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Second Amendment, with such changes, deletions and insertions as shall be approved by the persons executing the Second Amendment.

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 be in full force and effect immediately upon its passage and approval.

EXHIBIT A

LEGAL DESCRIPTION OF LEAMINGTON PARCEL

(Subject to Final Title Commitment and Survey)

THE SOUTH 22 FEET OF LOT 14 AND ALL OF LOTS 15 TO 17 IN BLOCK 3 IN WALLER'S SUBDIVISION OF THE WEST V₂ OF THE WEST V₂ OF THE NORTHEAST $\frac{1}{4}$ (EXCEPT THE NORTH 22 ACRES) IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 410 North Leamington Avenue
Chicago, Illinois

16-09-224-028

EXHIBIT B

LEGAL DESCRIPTION OF LARAMIE PARCEL

(Subject to Final Title Commitment and Survey)

LOT 36 (EXCEPT THE NORTH 0.50 FEET THEREOF) AND ALL OF LOT 37 IN BLOCK 1 IN STEVEN'S ADDITION, A SUBDIVISION OF THE EAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST V^{*} OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 402 North Laramie Avenue
Chicago, Illinois

16-09-124-052

EXHIBIT C FORM OF SECOND AMENDMENT

[Attached]

THIS INSTRUMENT PREPARED BY, AND AFTER
RECORDING, PLEASE RETURN TO: Arthur
Dolinsky Senior Counsel City of Chicago
Department of Law, Real Estate Division 121 North
LaSalle Street, Room 600 Chicago, Illinois 60602 (312)
744-0200

**SECOND AMENDMENT TO AGREEMENT
FOR THE SALE AND REDEVELOPMENT OF
LAND**

(The Above Space For Recorder's Use Only)

This SECOND AMENDMENT TO AGREEMENT FOR THE SALE AND REDEVELOPMENT OF LAND ("Second Amendment") is made on or as of the _____ day of _____, 20____, by and between the CITY OF CHICAGO, an Illinois municipal corporation and home rule unit of government (the "City"), acting by and through its Department of Planning and Development ("DPD"), as the successor department to the Department of Community Development, having its principal offices at City Hall, 121 North LaSalle Street, Chicago, Illinois 60602, and BY THE HAND CLUB FOR KIDS, an Illinois not-for-profit corporation ("Developer"), whose offices are located at 1000 N. Sedgwick Street, Chicago, Illinois 60610. Capitalized terms used in this Second Amendment but not defined herein shall have the meaning set forth in the "Amended Agreement" (defined below).

RECITALS

WHEREAS, pursuant to an ordinance adopted on October 7, 2009, and published at pages 72529 through 72562 in the Journal of the Proceedings of the City Council for such date (the "Ordinance"), the City and Developer have entered into that certain Agreement for the Sale and Redevelopment of Land dated February 24, 2011 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder's Office") on March 18, 2011 as document no. 1107733080, relating to Developer's construction of two (2) parking lots and an approximately 24,000 square foot, after-school care center that will serve approximately 264 children in grades first through twelfth (the "Agreement"); and

WHEREAS, pursuant to the Ordinance, and in connection with the Agreement, the City has previously conveyed to Developer the real property commonly known as 410 North Leamington Avenue, Chicago, Illinois, and legally described in Exhibit A attached hereto (the "Leamington Parcel"), and the real property commonly known as 402 North Laramie Street, Chicago, Illinois, and legally described in Exhibit B attached hereto (the "Laramie Parcel"), by the City's quitclaim deeds, each dated February 24, 2011 and recorded with the Recorder's Office on March 18, 2011, as document nos. 1107733081 and 1107733082, respectively; and

WHEREAS, pursuant to an ordinance adopted on February 13, 2013, and published at pages 46764 through 46778 in the Journal for such date (the "Amending Ordinance"), the City and the Developer have entered into that certain First Amendment to Agreement for the Sale and Redevelopment of Land dated April 26, 2013, and recorded in the Recorder's Office on July 31, 2013, as document no. 1321219011 (the "First Amendment"), which amended certain use restrictions and construction time frames that had been set forth in the Agreement (the Agreement, as amended by the First Amendment, the "Amended Agreement"); and

WHEREAS, the Amending Ordinance and the First Amendment required, in part, that Developer maintain the Laramie Parcel as open space until such time as the City (pursuant to and in accordance with future ordinance authority) and Developer agree to a new use; and

WHEREAS, Developer has proposed and the City agrees that Developer may construct a parking lot on the Laramie Parcel, which parking lot will be for the benefit of the after-school center to be constructed by Developer in accordance with the Amended Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and in the Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

SECTION 1. INCORPORATION OF RECITALS.

The foregoing recitals constitute an integral part of this Second Amendment and are incorporated herein by this reference with the same force and effect as if set forth herein as agreements of the parties.

SECTION 2. RESTRICTIONS ON USE

Section 13.1 (Restrictions on Use) of the Agreement is amended and restated to read as follows:

"For twenty (20) years following the City's issuance of its Certificate of Completion, Developer shall (a) utilize the Third-Party Parcels and Developer Parcel-B (legally described in Exhibits C and D attached to the Second Amendment) solely as an after-school care center or for such other social service or

educational uses as DPD, in its reasonable discretion, may consent to, (b) utilize the New Leamington Parking Lot Parcel (legally described in Exhibit E

attached to the Second Amendment) and the Laramie Parcel for parking associated with such center, and (c) utilize the Leamington Open Space Parcel (legally described in Exhibit F attached to the Second Amendment) for open space."

SECTION 3. COMMENCEMENT AND COMPLETION DATES.

Section 11 (Commencement and Completion of Project) of the Agreement is amended and restated to read as follows:

"Subject to the receipt of all necessary government approvals, Developer shall:

- i) commence construction of a twenty-four (24) space parking lot on the New Leamington Park Lot Parcel no later than March 31, 2013 and complete the construction of such parking lot no later than July 1, 2013. Such parking lot shall be constructed in accordance with the plans attached hereto as Exhibit G; and
- ii) commence construction of a twenty-two (22) space parking lot on the Laramie Parcel no later than July 1, 2014 and complete the construction of such parking lot no later than October 31, 2014. Such parking lot shall be constructed in accordance with the plans attached hereto as Exhibit H; and
- iii) commence construction of the Center no later than March 31, 2013 and complete the construction of the Center and conduct business operations therein no later than May 31, 2014. The Project shall be constructed substantially in accordance with the Drawings and in accordance with all applicable laws, regulations and codes.

The Commissioner has the authority to extend each of the above commencement and completion dates for good cause shown in writing."

SECTION 4. RECORDING COSTS. Developer shall pay to record this Second Amendment and other documents incidental thereto.

SECTION 5. FULL FORCE AND EFFECT. Except as amended hereby, the Amended Agreement shall continue in full force and effect as the binding obligations of the City and Developer.

SECTION 6. COUNTERPARTS. This Second Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute a single, integrated instrument.

(Signature Page Follows)

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed on or as of the date first above written.

CITY OF CHICAGO, an Illinois municipal corporation, acting by and through its Department of Planning and Development and its Department of General Services

Andrew J. Mooney, Commissioner
Department of Housing and Economic
Development

BY THE HAND CLUB FOR KIDS, an Illinois
not-for-profit corporation

By: _ Name: Its:

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Andrew J. Mooney, the Commissioner of the Department of Planning and Development of the City of Chicago, an Illinois municipal corporation, 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, being first duly sworn by me, acknowledged that, as said Commissioner, he signed and delivered the foregoing instrument pursuant to authority given by the City of Chicago as his free and voluntary act and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my notarial seal this day of , 20 .

NOTARY PUBLIC

STATE OF ILLINOIS)

) SS.

COUNTY OF COOK)

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the _____ of By the Hand Club for Kids, an Illinois not-for-profit corporation and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and, being first duly sworn by me, acknowledged that s/he signed and delivered the foregoing instrument as her/his free and voluntary act and the free and voluntary act of said company for the uses and purposes therein set forth.

GIVEN under my notarial seal this _____ day of _____, 20____.

NOTARY PUBLIC

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**(sub) EXHIBIT A to Second Amendment LEGAL DESCRIPTION OF
LEAMINGTON PARCEL**

THE SOUTH 22 FEET OF LOT 14 AND ALL OF LOTS 15 TO 17 IN BLOCK 3 IN WALLER'S
SUBDIVISION OF THE WEST 1/4 OF THE WEST 1/4 OF THE NORTHEAST 1/4 (EXCEPT THE NORTH 22
ACRES) IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 410 North Leamington Avenue
 Chicago, Illinois

16-09-224-028

**(sub) EXHIBIT B to Second Amendment LEGAL
DESCRIPTION OF LARAMIE PARCEL**

LOT 36 (EXCEPT THE NORTH 0.50 FEET THEREOF) AND ALL OF LOT 37 IN BLOCK 1 IN STEVEN'S ADDITION, A SUBDIVISION OF THE EAST 'A OF THE SOUTHEAST % OF THE NORTHWEST 'A OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 402 North Laramie Avenue
Chicago, Illinois

16-09-124-052

**(sub) EXHIBIT C to Second Amendment LEGAL DESCRIPTION OF
THIRD-PARTY PARCELS**

LOTS 26 TO 29 IN BLOCK 3 IN WALLER'S SUBDIVISION OF THE WEST 14 OF THE WEST $\frac{7}{2}$ OF THE NORTHEAST V* (EXCEPT THE NORTH 22 ACRES) IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 407, 409 and 411 North Laramie Avenue
Chicago, Illinois

P.I.N.s: 16-09-224-014

16-09-224-013 16-09-224-012

(sub) EXHIBIT D to Second Amendment

LEGAL DESCRIPTION OF DEVELOPER PARCEL-B

LOTS 30 TO 32 IN BLOCK 3 IN WALLER'S SUBDIVISION OF THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{4}$ OF THE NORTHEAST % (EXCEPT THE NORTH 22 ACRES) IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 417, 419 and 421 North Laramie Avenue
Chicago, Illinois

16-09-224-011 16-09-224-010 16-09-224-009

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**(sub) EXHIBIT E to Second Amendment LEGAL DESCRIPTION OF NEW
LEAMINGTON PARKING LOT PARCEL**

THE SOUTH 8 FEET OF LOT 17 AND ALL OF LOTS 18 TO 20 IN BLOCK 3 IN WALLER'S
SUBDIVISION OF THE WEST V_2 OF THE WEST V_2 OF THE NORTHEAST $1A$ (EXCEPT THE NORTH 22
ACRES) IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 400, 402 and 404 North Leamington Avenue
Chicago, Illinois

P.I.N.: 16-09-224-028 (part of)
16-09-224-029 16-09-224-
030 16-09-224-031

(sub) EXHIBIT F to Second Amendment LEGAL DESCRIPTION OF

LEAMINGTON OPEN SPACE PARCEL

THE SOUTH 22 FEET OF LOT 14, ALL OF LOTS 15 AND 16, AND LOT 17 (EXCEPT THE SOUTH 8 FEET THEREOF) IN BLOCK 3 IN WALLER'S SUBDIVISION OF THE WEST $\frac{1}{2}$ OF THE WEST $\frac{7}{2}$ OF THE NORTHEAST $\frac{1}{4}$ (EXCEPT THE NORTH 22 ACRES) IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 410 North Leamington Avenue
Chicago, Illinois

16-09-224-028 (part of)

(sub) EXHIBIT G to Second Amendment PLANS FOR PARKING LOT ON THE NEW LEAMINGTON

PARKING LOT PARCEL

[Attached]

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Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this FDS is:

1. ☐ 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. ☐ a legal entity with a right of control (see Section II.ILL) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: fOf tO NJ , SV do.,;.(;:.. t CW« <:^sr. , &0(biO

C. Telephone: -33 V. XkL~>.. _Fax: 2.*)H. ^V"?Q Email: ri^.U >ti,^ tAafoUayt^.

D. Name of contact, person: &th»W"IV<Uli >

Ii, 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):

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G. Which City agency or department is requesting this EDS? . X^sL..of ftftrtv*»y^ . mrd Q/uf.iifovW^

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

Specification ii_ and Contract U

Page 1 of 13

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

☐ J Person

☐ Limited liability company

☐ J Publicly registered business corporation

☐ Limited liability partnership

☐ Privately held business corporation

☐ Joint venture

☐ Sole proprietorship
☐ General partnership
☐ Limited partnership
☐ Trust

JS£. Not-for-profit corporation
 (Is the not-for-profit coqxiration also a 501(c)(3))?
☐ Yes ☐ No
 tl Other (please specify)

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

-XIUaoq .

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

☒ Yes ☐ No ☐ 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 ofthe entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there arc no such members, write "no members." For trusts, estates or other similar entities, list below the legal (itlebolder(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 ofthe Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name Title

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/2. Proasc provide the following inJonnaUou concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% ofthe Disclosing Party. Examples o "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 lo Section 2-154-030 ofthe 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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ISti&L^:

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 j)<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.

Page 3 of 13

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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[] Check here if the Disclosing Party has notVctained, nor expects to retain, any such persons of 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 ofthe Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[] Yes [] No ^No person directly or indirectly owns 10% or more ofthe
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 I] No

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article 1 ("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 1 applies to the Applicant, the permanent compliance timeframe in Article 1 supersedes some five-year compliance timeframes in certifications 2 and 3 below.

Paee4 of 13

2. The Disclosing Party and, ii" the Disclosing Party is a legal entity, all ol'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, state or local unit of government;

- h. 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
 - c. 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").

Pace 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:

- 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").

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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.

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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 tender 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.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 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.

y(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 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, 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:

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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 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.

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(Print or type name of person signing)

tEv.<> cj. pto/ Wv.^ ._
(Print or type title of person signing)

Signed and sworn to before me on (date) ^^/olpO} // ^
at fiOOK County, /(state).

Notary Public.

Commission expires: / ^ {oq' fl C

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OFFICIAL SEAL MARCtA KFAMBRO NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPRESflfMrlB

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 (h) 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

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.